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O.P.No.316 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **14.02.2025**

CORAM

THE HONOURABLE **MR.JUSTICE K.KUMARESH BABU**

O.P.No.316 of 2024

Mr.V.L.Sivanandam

...Petitioner

VS.

1.Mrs.G.Nanthini
2.Miss.G.Saranya
3.Mrs.U.Gunavathy
4.Mrs.R.Nirmala
5.Mrs.A.Tamilarasi

...Respondents

PRAYER: Original Petition filed for Letters of Administration under Section 232, and 276 of the Indian Succession Act read along with Order 25 Rule 5 of the O.S.Rules, prays,

(a) The Letters of Administration with the will annexed may be granted to the petitioner as son/beneficiary under the will of the said deceased having effect limited to the State of Tamil Nadu.

For Petitioner : Mr.M.K.Bhoopathy Rajan

For Respondents : No appearance



ORDER

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This Original Petition has been filed for issuance of the Letters of Administration in respect of the Will dated 09.07.2009 executed by late A.R.Loganathan, who died on 15.03.2013. The petitioner and respondents 3 to 5 are the children of the testator. The respondents 1 and 2 are the grandchildren of the testator through his deceased son. The petitioner and respondents are the only surviving legal heirs of the testator. The petitioner is the only beneficiary under the said will. The respondents inspite of service of notice have remained absent and kept themselves away from their proceedings. The petitioner seeks issuance of Letters of Administration in respect of the properties situated within the jurisdiction of this court.

2. The petitioner has been examined as PW1. He has produced the death certificates of the Testator, testator's wife late.Kuppuammal and testator's son as Ex.P4, Ex.P6 and Ex.P8. The Original registered will and testament dated 09.07.2009 as Ex.P3. The legal heir certificate of the testator and his wife as Ex.P5 and Ex.P7. On perusal of the Ex.P5 and Ex.P7, it clearly exhibits that the petitioner and respondents 3 to 5 are the surviving legal heirs of the testator. The paper publications have been made and marked as Ex.P10 and Ex.P11 wherein it is stated that the respondents 1 and



2 are the legal heirs of the deceased son of the testator and no objection has been received from any person. The petitioner and respondents are the only surviving legal heirs of the testator late.A.R.Loganathan.

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3. The petitioner has examined Mrs.S.Sasikala, who is the second attesting witness to the said Will as PW2. She has spoken about the execution of the Will by the testator and its attestation by her and marked her affidavit as Ex.P14.

4. In view of the above mentioned facts, this Original Petition is ordered and Letters of Administration are granted in favour of the petitioner, in respect of the Will dated 09.07.2009 of the testator late.A.R.Loganathan. The petitioner is directed to execute a security bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) in the name of the Assistant Registrar (Original Side) of this Court. The petitioner is further directed to file an inventory of assets and statement of accounts within a period of six months and one year, respectively.

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Index :Yes/No



Petitioner's witness:

P.W.1 - Mr.V.L.Sivanandam

P.W.2 – Mrs.S.Sasikala

Documents exhibited by the petitioners:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Photocopy of my Aadhaar Card (Compared with the original)
Ex.P2	Photocopy of the sale deed dated 25.06.1984 executed in favour of Mr.A.R.Loganathan along with patta (Compared with the original)
Ex.P3	Original registered Will and Testament dated 09.07.2009 executed by Dr.A.R.Loganathan.
Ex.P4	Photocopy of the death certificate of Dr.A.R.Loganathan
Ex.P5	Photocopy of the legal heir ship certificate of Dr.A.R.Loganathan (Compared with the original)
Ex.P6	Photocopy of the death certificate of Mrs.Kuppammal (Compared with the original)
Ex.P7	Photocopy of the legal heir ship certificate of Mrs.Kuppu Ammal (Compared with the original)
Ex.P8	Computer generated death certificate of Mr.Gunasekaran Loganathan.
Ex.P9	Affidavit of assets showing the net value of the estate as Rs.1,49,75,00,000/-
Ex.P10	Copy of the paper publication effected in one issue of Tamil Daily “Makkal Kural” dated 13.09.2024.
Ex.P11	Copy of the paper publication effected in one issue of English Daily “Trinity Mirror” dated 21.09.2024.
Ex.P12	Certificate under Section 65 B of the Indian Evidence Act.
Ex.P13	Photocopy of my Aadhaar Card (Compared with the original)
Ex.P14	My affidavit.

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