



O.P. No.64 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.10.2025

CORAM :

THE HONOURABLE MR.JUSTICE P.DHANABAL

O.P. No.64 of 2025

Ajay Advento S/o. A.M. Prakash

... Petitioner

Vs

A.M. Prakash S/o. late G. Amalraj

... Respondent

PRAYER: Original Petition is filed under Section 232 and 276 of the Indian Succession Act of 1925 read with Order XXV Rule 5 of the Original Side Rules praying to grant letters of Administration to the Will annexed with the petition, as grandson / beneficiary of the deceased having effect limited to the State of Tamil Nadu.

For Petitioner : Mr.G. Mutharasu

For Respondent : Notice served - no appearance.

ORDER

This petition has been filed under Section 232 and 276 of the Indian

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Succession Act to grant Letters of Administration to the petitioner to the estates and credits of the deceased having effect limited to the State of Tamil Nadu.

2. After filing of this petition, this Court directed the petitioner to effect paper publication in any one of the issue of Tamil Daily and also in English daily and the paper publication was also effected and there is no any objection from any party. Thereafter, the case was posted for recording evidence and the evidence was also recorded. On the side of the petitioners, PW1 and PW2 were examined and Ex.P.1 to Ex.P67 and Ex.C.1 & Ex.C.2 were marked.

3. According to the petitioner, the respondent is the son of one Pushpa Amalraj and she is the paternal grandmother of the petitioner. The said Pushpa Amalraj died on 12.02.2024. The petitioner and the deceased Late Pushpa Amalraj had jointly purchased the schedule mentioned properties on 03.06.1991. Subsequently, the petitioner had executed his share by way of



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Release Deed in favour of his grandmother Pushpa Amalraj on 06.02.1992

and thereafter, the deceased Mrs. Pushpa Amalraj had executed a Registered Will to and favour of the petitioner on 06.02.1992. The last Will and testament executed by the deceased was on 06.02.1992. No executor was appointed under the Will. The petitioner and the respondents are the only surviving legal heirs and there is no other next of kin to the deceased. The net amount of the assets would come around Rs.50,00,00/-. There are no other next of kin to the deceased except the petitioner and the respondent. The respondent has given his consent to grant letters of administration in favour of the petitioner.

4. The petitioner herein, was examined as PW1. He has deposed that he is the grandson of the deceased Pushpa Amalraj and reiterated the petition averments. PW2 is one of the attesting witnesses in the Will. He has deposed that the testator had executed a Will dated 06.02.1992 and he was also present along with the testator at the time of execution of Will. He has also identified

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the signatures of the attestor and testator in the Will. A perusal of evidences of PW1 and PW2 and Ex.P.1 to Ex.P.6 revealed that the petitioner and the respondents are the legal heirs of the deceased and no any objection has been raised either by the respondent or any other party to grant letter of administration to the petitioner. Therefore, the petitioner, through the evidences and documents, has amply proved the execution of Will. Therefore, the petitioner is entitled to the relief as prayed for in the petition.

5. Therefore, this Original Petition is ***allowed*** and Letter of Administration, to the estates and credits of the deceased Mrs. Pushpa Amalraj in favour of the petitioner, is granted.

6. Issue Letters of Administration in favour of the petitioner. The petitioner is directed to duly administer the properties and credits of the deceased more fully described in the schedule. The petitioner is also directed to execute a **security bond** for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** in favour of the **Assistant Registrar (O.S.II), High Court, Madras**. The petitioner is further directed to render true and correct accounts

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once in a year.

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Index : Yes/No
Speaking Order : Yes/No
mjs

APPENDIX:

List of Petitioner side Witnesses:

PW1 : Mr. Ajay Advento
PW2 : Mr. Augustin

List of Petitioner side Documents:

Exhibit No.	Date	Description of Documents.
Ex.P.1.	06.02.1992	Original registered Will executed by Mrs. Pushpa Amalraj.
Ex.P.2	06.02.1992	Photocopy of the Release Deed executed by the petitioner.
Ex.P.3	03.06.1991	Photocopy of the Sale Deed executed in favour of the deceased Mrs. Pushpa Amalraj and the petitioner.
Ex.P.4.	19.02.2024	Computer generated Death Certificate of deceased Pushpa Amalraj (Date of Death: 12.02.2024).



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Ex.P.5	-	Photocopy of the Aadhar card of the petitioner.
Ex.P.6	-	Photocopy of the photo.

List of Court documents:

Exhibit No.	Date	Description of Documents.
Ex.C.1.	03.07.2025	Paper publication of the English daily "Trinity Mirror"
Ex.C.2	26.06.2025	Paper publication of the Tamil daily "Makkal Kural".

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P.DHANABAL.,J



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