



WEB COPY

A No. 4193 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-08-2025

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

**A No. 4193 of 2025
in O.P.No.315 of 2024**

C.Sundar

Applicant(s)

Vs

Nil

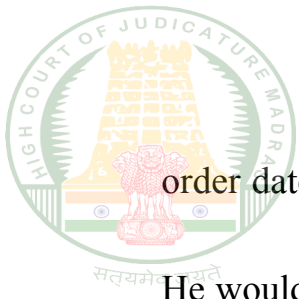
Respondent(s)

For Applicant(s): M/s.Nithysh Sekhar

ORDER

This application has been filed to issue Letters of Administration in the name of the applicant C.Sundar in the above O.P.No.315 of 2024 on the file of this Court.

2. The learned counsel appearing for the applicant would submit that Letters of Administration was granted in favour of the petitioner in the OP by



order dated 03.03.2025 in respect of the Will which has been marked as Ex.P3.

He would submit that thereafter the petitioner who was the beneficiary had died on 21.03.2025. In the unlikely event of the petitioner pre-deceasing the Testator, the respondent was to succeed to the demised premises. Therefore, the learned counsel appearing for the applicant would pray this Court to grant Letters of Administration in favour of the applicant who was a respondent in the OP and who had also filed a consent affidavit which has been marked as Ex.P16.

3. I have considered the submissions of the learned counsel appearing for the applicant.

4. The Death Certificate of the petitioner who had been granted with Letters of Administration have been enclosed along with the application indicating that she had died on 21.03.2025. A perusal of Ex.P3 Will would indicate that the applicant who was the brother's son of the Testator was entitled to be bequeathed with the property in the unlikely event of the petitioner pre-



deceasing the Testator. The Will had been proved and the Letters of

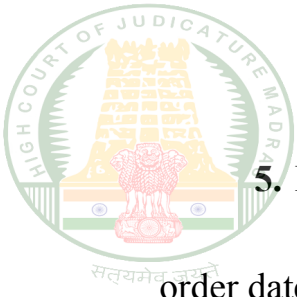
Administration was granted in favour of the deceased petitioner. Since the Will

also explicitly gives a benefit on contingency to bequeath the property, this

Court finds no impediment in ordering the application as prayed for.

5. In fine, this application is ordered, the Letters of Administration granted on 30.03.2025 shall be granted in favour of the applicant herein and the applicant is also directed to execute a security bond for a sum of Rs.25,000/- in the name of the Assistant Registrar, (Original Side) of this Court. The applicant is also further directed to file inventory of assets and statement of accounts within a period of six months and one year, respectively.

4. Further it is to be noted that the consent affidavit has been marked as Ex.P16. Further it is also to be noted that Ex.P16 is described as “My consent Affidavit” rather it is the consent affidavit filed by the respondent.



5. In such view of the matter the Registry is also correct the error in the order dated 03.03.2025 as follows:-

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- a) In para No.2, the words Ex.P17 shall be replaced as Ex.P16 and
- b) In the foot of the order against Ex.P16 the description shall be shown as consent affidavit filed by the respondent by deleting my consent affidavit as noted therein.

6. The Registry is directed to issue fresh order copy in the above terms.

26-08-2025

dsa



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K.KUMARESH BABU J.

dsa

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