



O.P. No. 822 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

Dated: 17.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE K. KUMARESH BABU

O.P. No. 822 of 2024

1.M.Jayalakshmi

2.M.Srikkanth

3.Bhanu Rekha

4.Sri Harshitha Muthyala

Rep. by her power agent & Mother Bhanu Rekha

5.Muthyala Srinivas Suhaas

Rep. by her power agent & Mother Bhanu Rekha

... Petitioners

Vs.

None

PRAYER: Original Petition is filed under Sections 232 & 276 of the Indian Succession Act XXXIX of 1925 & Order XXV Rule 5 of Original Side Rules, 1956 for grant of letters of administration with Will annexed of the properties of credits of deceased may be granted to petitioners 2 to 5 as beneficiary/legatees under the Will of the said deceased having effect throughout the State of Tamil Nadu.

For Petitioner : Mr. Anil Relwani



O.P. No. 822 of 2024

ORDER

WEB COPY This Original Petition has been filed for issuance of the Letters of Administration in respect of the Will dated 29.05.2019 executed by late.Muthyala Rabindar, who died on 26.01.2022. The first petitioner is the wife and petitioners 2 to 5 are the son, daughter-in-law and grandchildren of the testator. The petitioners are the beneficiaries under the Will. The testator did not appoint an executor under the Will. Hence, the petitioners seek issuance of Letters of Administration in respect of the properties situated within the jurisdiction of this court.

2. The third petitioner has been examined as PW1. She has produced the death certificate of the Testator as Ex.P3.The original registered will and testament dated 29.05.2019 as Ex.P2. The legal heirship certificate of the testator as Ex.P4. A perusal of Ex.P4, shows that the testator died leaving behind his wife, the first petitioner and his son, the second petitioner as his legal heirs. The paper publications were made and marked as Ex.C1 and Ex.C2. No objection received from any person.



O.P. No. 822 of 2024

3. The petitioner has examined Mr.T.Girija Shankar, who is the first attesting witness to the said Will as PW2. He has spoken about the execution of the Will by the testator and its attestation by him.

4. The assertions in the petition have been duly proved by adducing oral evidence supported by documents. In these circumstances, the petitioners are entitled to the relief.

5. In view of the above mentioned facts, this Original Petition is ordered and Letters of Administration are granted in favour of the petitioners, in respect of the Will dated 29.05.2019 of the testator late.Muthyala Rabindra. The petitioners are 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 petitioners are further directed to file an inventory of assets and statement of accounts within a period of six months and one year, respectively.

17.07.2025

Index :Yes/No

Neutral Citations: Yes/ No

AT

3/5



O.P. No. 822 of 2024

List of witnesses examined on the side of the petitioner:

PW1- Mrs. Bhanu Rekha

PW2- Mr. T.Girija Shankar

List of documents marked on the side of the petitioner:

Ex.P1	Certified copy of the sale deed in favour of Mr.Muthyala Rabindar dated 23.02.1981.
Ex.P2	Original registered Will executed by deceased Muthyala Rabindar dated 29.05.2019.
Ex.P3	Online copy of the death certificate of deceased Muthyala Rabindar dated 08.05.2024.
Ex.P4	Online copy of the legal heir certificate of deceased Muthyala Rabindar dated 07.07.2024.
Ex.P5	Original power of attorney executed by the 4 th petitioner Mrs.Sri Harshitha Muthyala dated 26.06.2024.
Ex.P6	Original power of attorney executed by the 5 th petitioner Mr.Muthyala Srinivas Suhaas dated 26.06.2024.
Ex.P7	Online copy of the property tax receipt in the name of Muthyala Rabindar dated 09.02.2024.
Ex.C1	Paper publication in English newspaper “Trinity Mirror” dated 04.04.2025.
Ex.C2	Paper publication in Tamil newspaper “Makkal Kural” dated 28.03.2025.
Ex.C3	Affidavit of attesting witness of Mr.T. Girija Shankar.

17.07.2025

AT



WEB COPY



O.P. No. 822 of 2024

K.KUMARESH BABU,J.

AT

O.P. No. 822 of 2024

17.07.2025