



O.P. No.382 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.10.2025

CORAM :

THE HONOURABLE MR.JUSTICE P.DHANABAL

O.P. No.382 of 2024

V. Subramanian S/o. Late T. Vaidyanathan

... Petitioner

Vs

1. V. Thyagarajan S/o. Late T. Vaidyanathan
2. Suguna Srinivasan W/o. V. Srinivasan
3. Iyer Ganesan S/o. Late T. Vaidyanathan
4. Shanthi Ramakrishnan D/o.Late T. Vaidyanathan... Respondents

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 son / beneficiary of the deceased having effect limited to the State of Tamil Nadu.

For Petitioner : Mr. A. Saravanan
For Respondent : no appearance.



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ORDER

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This petition has been filed under Section 232 and 276 of the Indian 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.P.7 and Ex.C.1 to Ex.C.6 were marked.

3. According to the petitioner, the petitioner and the respondents are the Class I legal heirs of one Mr. T. Vaidyanathan. The said

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Mr. T. Vaidyanathan died on 29.01.2004. During his life time, the deceased has possessed properties within the State of Tamil Nadu, within the jurisdiction of this Court. The last Will and testament was executed by the deceased on 25.06.1999. The mother of the petitioner namely Sakunthala Vaidyanathan died on 08.03.2019. The petitioner and the respondents are the only surviving legal heirs and there is no other next of kin to the deceased. The total value of the assets would come around Rs.50,00,00/-.

5. The petitioner herein, was examined as PW1. He has deposed that he is the son of the deceased T. Vaidyanathan 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 25.06.1999 and he was also present along with the testator at the time of execution of Will. He has also identified the signatures of the attester and testator in the Will. A perusal of evidences of PW1 and PW2 and Ex.P.1 to Ex.P.7 revealed that the petitioner and the respondents are the legal heirs of the deceased and no any objection has been

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raised either by the respondent or any other party to grant letter of administration to the petitioner. PW1 has also produced Ex.C1 to Ex.C.4, the consent affidavits of the respondents 1 to 4 to grant letter of administration in favour of 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.

6. Therefore, this Original Petition is *allowed* and Letter of Administration, to the estates and credits of the deceased Mr. T. Vaidyanathan in favour of the petitioner, is granted.

7. 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 once in a year.

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Index : Yes/No
Speaking Order : Yes/No
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APPENDIX:

List of Petitioner side Witnesses:

PW1 : Mr. V. Subramanian
PW2 : Mr. B. Venkataramanan

List of Petitioner side Documents:

Exhibit No.	Date	Description of Documents.
Ex.P.1.	19.03.1984	Photocopy of the Sale Deed executed by Chinnayan and others to and in favour of the petitioner V. Subramanian bearing Doc. No.870/1984 on the file of the SRO, Virugambakkam.
Ex.P.2	05.12.1997	Photocopy of the Sale Deed executed by the petitioner V. Subramanian in favour of T. Vaidyanathan and V. Sakunthala bearing Doc. No.223/1997 on the file of the SRO, Virugambakkam.



Ex.P.3	-	Photocopy of the Sale Deed executed by the petitioner V. Subramanian in favour of T. Vaidyanathan and V. Sakunthala bearing Doc. No.113/1998 on the file of the SRO, Virugambakkam.
Ex.P.4.	25.06.1999	Original Will of Mr. T. Vaidyanathan bearing Doc. No.91/1999 on the file of SRO, Virugambakkam.
Ex.P.5	31.01.2004	Photocopy of the Death Certificate of Mr. T. Vaidyanathan issued by the Municipal Corporation of Greater Mumbai.
Ex.P.6	20.03.2024	Online copy of the Legal Heir Certificate of Mr. T. Vaidyanathan.
Ex.P.7	-	Photocopy of the Famil ration card of the petitioner V. Subramanian.

List of Court documents:

Exhibit No.	Date	Description of Documents.
Ex.C.1.	-	Consent affidavit of the 1st respondent V. Thyagarajan.
Ex.C.2	-	Consent affidavit of the 2nd respondent Suguna Srinivasan.
Ex.C.3	-	Consent affidavit of the 3rd respondent Iyer Ganesan.
Ex.C.4	-	Consent affidavit of the 4th respondent Shanthi Ramakrishnan.



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Ex.C.5	13.06.2025	Paper publication of the Tamil Journal "Makkal Kural".
Ex.C.6	21.06.2025	Paper publication of the English Journal "Trinity Mirror".

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