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O.P.No.258 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **23.06.2025**

CORAM

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

O.P.No.258 of 2024

R.Venkatesan

...Petitioner

VS.

1.M.Kavitha

2.R.Kumaresan

3.V.Geetha

...Respondents

PRAYER: Original Petition filed under Section 232 and 276 of the Indian Succession Act read with Order XXV Rule 5 of Original Side Rules, prays that this Hon'ble Court may be pleased that the Letters of Administration with the WILL dated 28.04.2008 registered as document No.38/2008 annexed of the properties and credits of deceased may be granted to the petitioner as the son/beneficiary under the WILL of the said deceased having effect throughout the State of Tamil Nadu.

For Petitioner : Mr.D.Rajagopal

For Respondents : Mr.A.K.R.Ravi

ORDER

This Original Petition has been filed for issuance of the Letters of Administration in respect of the Will dated 28.04.2008 executed by late Mr.G.Radha, who died on 24.01.2022. The petitioner and the respondents are the legal heirs of the testator. The petitioner is the only beneficiary under the



Will executed by the testator. Therefore the petitioner seeks issuance of Letters of Administration in respect of the properties situated within the jurisdiction of this court.

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2. The petitioner has examined himself as PW1. He has produced 7 documents which are marked as Ex.P1 to Ex.P7, listed under the foot of the order. He has marked the original will executed by the testator as Ex.P1. A perusal of the same substantiates that the petitioner is the only beneficiary named under the said Will. He has produced the death certificate of the testator as Ex.P2. The computer generated legal heirship certificate of the testator is marked as Ex.P3, which clearly shows that the petitioner and the respondents 1 to 3 are the only legal heirs of the testator. The general paper publications had been effected (the paper publications have not been marked). The service of notice upon the respondents 1 to 3 had been completed and the respondents have filed their consent affidavits expressing their consent to grant the Letters of Administration in favour of the petitioner.

3. The petitioner has examined Mr.V.Vijayaraghavan 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 along with the other



attesting witness Mr.Kuppusamy and has marked his affidavit as Ex.P8.

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4. The assertions in the petition have been duly proved by adducing oral evidence supported by documents. In these circumstances, the petitioner is 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 petitioner, in respect of the Will dated 28.04.2008 of the testator Late.Mr.G.Radha. 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.R.Venkatesan

P.W.2 – Mr.V.Vijayaraghavan

Documents exhibited by the petitioners:



Exhibits	Documents
Ex.P1	Original Will executed by Late G.Radha dated 28.04.2008.
Ex.P2	Computer generated copy of the death certificate of G.Radha died on 24.01.2022.
Ex.P3	Computer generated copy of the legal heir certificate of G.Radha dated 23.04.2022.
Ex.P4	Computer generated copy of the property tax receipt dated 12.09.2023.
Ex.P5	Original water tax and charges receipt dated 12.09.2023.
Ex.P6	Photocopy of the electricity card No.275-014-0840.
Ex.P7	Photocopy of the partition deed dated 27.02.1995.
Ex.P8	Affidavit of P.W.2
Ex.P9	Photocopy of the Aadhar card of the 1 st attesting witness.

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