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O.P.No.827 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **14.07.2025**

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

**O.P.No.827 of 2024**

Mrs.R.Sujatha

...Petitioner

VS.

1.R.Prashanth

2.R.Siddhartha

...Respondents

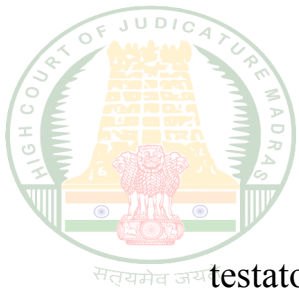
**PRAYER:** Original Petition filed under Sections 232 and 276 of the Indian Succession Act 1925 read with order XXV Rule 5 of the High Court O.S. Rules 1956, to grant Letters of Administration with WILL annexed to the petitioner as wife/legatee and beneficiary under the WILL of the said deceased to have effect throughout the Union of India.

For Petitioner : Mr.A.M.Venkatakrishnan

For Respondents : Served - No appearance

**ORDER**

This Original Petition has been filed for issuance of the Letters of Administration in respect of the Will dated 13.07.2022 executed by Late Mr.B.Raju, who died on 22.07.2024.



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2. The petitioner and respondents 1 and 2 are the only legal heirs of the testator. The petitioner submits that she had got married to the testator and had begotten both the respondents 1 and 2 as their sons. The petitioner submits that the testator before his death had executed a Will on 13.07.2022 and in pursuant to the said will the testator had bequeathed immovable and movable properties in favour of the petitioner except for the ancestral properties in which the petitioner and the respondents have an 1/3<sup>rd</sup> share each. Therefore the petitioner seeks issuance of Letters of Administration in respect of the properties situated within the jurisdiction of this court.

3. The petitioner has examined herself as PW1 and had produced 22 Documents to support her deposition which are listed as Ex.P1 to Ex.P17 and Ex.C1 to Ex.C5 at the foot of the order. The original Will dated 13.07.2022 has been marked as Ex.P2. The online copy of the death certificate of the testator has been marked as Ex.P3. The online copy of the legal heirship of the testator has been marked as Ex.P4. The perusal of the Ex.P2 it is clear that the petitioner is the sole beneficiary for the both immovable and movable properties except for the ancestral properties for which both the petitioner and the respondents 1 and 2 are the beneficiaries. From the perusal of Ex.P4 it is clear that both the petitioner and the respondents 1 and 2 are the only



legal heirs of the testator. The general paper publications had been effected which are marked as Ex.C4 and Ex.C5 and no objections were received for the same.

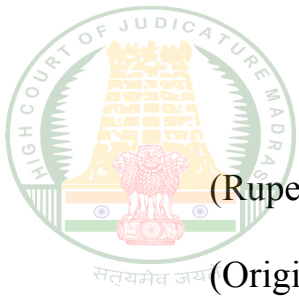
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4. The petitioner has examined Mr.T.Shankar Rao, who is one of the attesting witness to the said Will as PW2. He has spoken about the execution of the Will by the testator and its attestation by him along with the other attesting witness Mr.Saravanan and he had marked his affidavit as Ex.C3.

5. Both the respondents 1 and 2 have expressed their consent to grant the Letters of Administration in favour of the petitioner and their respective consent affidavits have been marked as Ex.C1 and Ex.C2

6. 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

7. 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 13.07.2013 of the testator late.S.Ramakrishnan. 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

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inventory of assets and statement of accounts within a period of six months and one year, respectively.

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Index :Yes/No

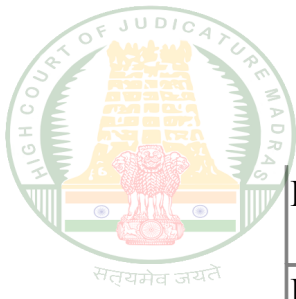
**Petitioner's witness:**

P.W.1 – Mrs.Sujatha Raju

P.W.2 – Mr.T.Shankar Ram

**Documents exhibited by the petitioners:**

| Exhibits | Documents                                                                                                                |
|----------|--------------------------------------------------------------------------------------------------------------------------|
| Ex.P1    | Photocopy of the Aadhar card of the testator B.Raju.(Original produced, compared and returned)                           |
| Ex.P2    | Original Will dated 13.07.2022.                                                                                          |
| Ex.P3    | Online copy of the death certificate (Date of death 22.07.2024) of the testator B.Raju, dated 03.08.2024.                |
| Ex.P4    | Online copy of the legal heirship certificate of the deceased B.Raju, dated 18.10.2024.                                  |
| Ex.P5    | Photocopy of the aadhar card of the 1 <sup>st</sup> respondent Mr.Prasanth (Original produced, compared and returned)    |
| Ex.P6    | Photocopy of the aadhar card of the 2 <sup>nd</sup> respondent Mr.Siddhartha.(Original produced, compared and returned.) |
| Ex.P7    | Photocopy of the sale deed dated 30.01.1948.(Original produced, compared and returned)                                   |
| Ex.P8    | Photocopy of the deed of partition dated 28.05.1970 (Original produced, compared and returned)                           |
| Ex.P9    | Photocopy of the sale deed dated 14.03.2005 (Original produced, compared and returned)                                   |



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|--------|----------------------------------------------------------------------------------------------|
| Ex.P10 | Certified copy of the sale deed dated 09.03.2006.(Original produced, compared and returned)  |
| Ex.P11 | Photocopy of the sale deed dated 04.09.2017 (Original produced, compared and returned)       |
| Ex.P12 | Photocopy of the sale deed dated 12.07.2013 (Original produced, compared and returned)       |
| Ex.P13 | Certified copy of the sale deed dated 16.11.2012. (Original produced, compared and returned) |
| Ex.P14 | Photocopy of the sale deed dated 16.11.2012.                                                 |
| Ex.P15 | Certified copy of the sale deed dated 13.06.2001. (Original produced, compared and returned) |
| Ex.P16 | Certified copy of the sale deed dated 11.11.2010. (Original produced, compared and returned) |
| Ex.P17 | Affidavit of assets.                                                                         |
| Ex.C1  | Consent affidavit of the respondent 1.                                                       |
| Ex.C2  | Consent affidavit of the respondent 2.                                                       |
| Ex.C3  | Affidavit of T.Shankar Ram, one of the attesting witness.                                    |
| Ex.C4  | Copy of the paper publication in the tamil edition “Makkal Kural” dated 04.04.2024.          |
| Ex.C5  | Copy of the paper publication in the english edition “Trinity Mirror” dated 12.04.2024.      |

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**K.KUMARESH BABU, J.**

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