



O.P.No.377 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: **05.03.2025**

CORAM

THE HONOURABLE **MR.JUSTICE K.KUMARESH BABU**
O.P.No.377 of 2024

1. S.Ravikumar

2.B.Prema

.. Petitioners

Vs

1.T.Shanthi

2.G.Saranya

3.G.Thamilarasi

4.P.Vasantha

... Respondents

PRAYER: Original Petition filed for Letters of Administration under Sections 232 and 276 of Indian Succession Act 1925, ACT XXXIX of 1925 and Order XXV Rule 5 of the Madras High Court Original Side Rules, 1956 for grant of Letters of Administration with will annexed of the properties and credits of deceased Chandirammal may be granted to the petitioners as son and daughter / beneficiaries under the Will of deceased to have effect limited to the State of Tamil Nadu.

For Petitioners : Mr.P.Satheesh Kumar

For Respondents : Mr.R.M.Pradeepan for R1 to R3



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Mr.R.Dinesh Kumar for R4.

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ORDER

This Original Petition has been filed for issuance of the Letters of Administration in respect of the Will dated 30.08.2005 executed by late.Mrs.Chandirammal, who died on 11.09.2005. The deceased has four children the Petitioners, the 4th respondent Mrs.P.Vasanth and Late.Mr.S.Gopalakrishnan whose legal heirs are Respondent R1 to R3. The petitioners along with the 1st and the 2nd respondents are the only beneficiaries under the said will. The petitioners seek issuance of Letters of Administration in respect of the properties situated within the jurisdiction of this court.

2. The first petitioner has examined himself as PW1. He has produced the death certificate of the Testatrix late.Mrs.Chandirammal who died on 11.09.2005 as Ex.P3. The certified copy of the registered will and testament dated 30.08.2005 as Ex.P2. The legal heir certificate of the testatrix dated 17.02.2020 as Ex.P4. On perusal of the Ex.P2 and Ex.P4, it clearly exhibits that the testatrix had two sons and two daughters , the petitioners along with fourth respondent as her only surviving legal heirs. On perusal of the Ex.P2 it clearly exhibits that the petitioners along with the 1st and 2nd Respondents



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are the beneficiaries to the Will, where the 1st and 2nd respondents are the beneficiaries to the Schedule 'B', the first petitioner Mr.S.Ravikumar is the beneficiary to the Schedule 'C' , the second petitioner Mrs.D.Prema is the beneficiary to Schedule 'D' and as regards to the Schedule 'E' where the petitioners are the co-beneficiaries along with the respondents 1 and 2. The above said Schedules 'B' to 'E' forms part of the larger schedule 'A' property. The respondents R1 to R4 have filed their consent affidavits.

3. The petitioner has examined one Mr.D.Balu, who is the first attesting witness to the said Will as PW2. He has spoken about the execution of the Will by the testatrix and its attestation by him and has marked his affidavit as Ex.P11.

4. Paper Publications have been made which are marked as Ex.P7 and Ex.P8 and no objections has been received or recorded.

5. 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



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6. 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 30.08.2005 of the testatrix late.Mrs.Chandirammal. 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.

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Index :Yes/No

Speaking: Yes/ No

Neutral Citation: Yes/No



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Petitioner's witness:

P.W.1 —Mr.S.Ravikumar

P.W.2 – Mr.D.Balu

Documents exhibited by the petitioners:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Certified copy of the sale deed dated 15.10.1999 executed in favour of Mrs.Chandirammal (compared with the original)
Ex.P2	Original Will dated 30.08.2025 executed by Mrs.M.chandirammal
Ex.P3	Computer generated death certificate of Mrs.M.chandirammal
Ex.P4	Computer generated legal heir ship certificate of Mrs.M.Chandirammal
Ex.P5	Online printout of encumbrance certificate for the period 01.01.1975 to 16.09.2023
Ex.P6	Affidavit of assets showing the net value of the estate as Rs.48,00,000/-
Ex.P7	Copy of the paper publication effected in one issue of Tamil Daily “Makkal Kural” dated 11.10.2024
Ex.P8	Copy of the paper publication effected in one issue of English Daily “Trinity Mirror” dated 19.10.2024
Ex.P9	Certificate under 65B of the Indian Evidence Act, 1872
Ex.P10	Photocopy of Aadhar card – PW2
Ex.P11	Affidavit of attesting witness



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