



O.P. No.181 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.10.2025

CORAM :

THE HONOURABLE MR.JUSTICE P.DHANABAL

O.P. No.181 of 2025

S. Prabavathy W/o. Late J. Santhanakrishnan

... Petitioner

Vs

1. J. Nandakumar S/o. Late A. Jayaram Naidu

2. N. Damodaran S/o. J. Nandakumar

3. S. Vidyalakshmi W/o. P. Srikrishna and

D/o. J. Nandakumar

... 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 mother / life interested under the Will of the deceased having effect throughout the State of Tamil Nadu.

For Petitioner : Mr. M. Kamalakannan

For Respondent : Ms. A. Sumathi



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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 throughout 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.12 were marked.

3. According to the petitioner, the petitioner is the wife of one Mr. J. Santhanakrishnan S/o. Late A. Jayaram Naidu and he died leaving his wife, brother, brother's son and daughter as his surviving legal heirs on

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22.08.2024. The deceased J. Santhanakrishnan and his wife, who is the petitioner herein, have no issues. At the time of death, the deceased Mr. J.

Santhanakrishnan, left his property at Chennai. During his life time, the deceased had executed the Will dated 31.07.2024, in the presence of attestors namely Dr. P. Sridhar and Dr. V.A. Gunasekaran, giving life interest to his wife and to his brother, the 1st respondent and after their lifetime, to the son of the 1st respondent. No executor was appointed as per the Will. The mother of the deceased J. Santhanakrishnan predeceased him on 10.09.1998 and his father died on 17.09.2003. 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.40,00,000/-.

5. The petitioner herein, was examined as PW1. He has deposed that she is the wife of the deceased J. Santhanakrishnan and reiterated the petition averments. PW2, Dr. P. Sridhar, is one of the attesting witnesses in the Will. He has deposed that the testator had executed a Will dated 31.07.2024 and he

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was also present along with the testator at the time of execution of Will. He

has signed as first attestor to Ex.P.1 Will in the presence of the testator and the

2nd attesting witness is Dr. V.A. Gunasekaran. He has also identified the

signatures of the attestors and testator in the Will. A perusal of evidences of

PW1 and PW2 and Ex.P.1 to Ex.P.12 revealed that the petitioner and the

respondents are the legal heirs of the deceased and no any objection has been

raised either by any of the respondents or any other party to grant letter of

administration to the petitioner. The respondents have also filed their consent

affidavits 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. J. Santhanakrishnan in favour of the petitioner, is granted.

7. Issue Letters of Administration in favour of the petitioner. The
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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 : Mrs. S. Prabavathy
PW2 : Dr. P. Sridhar

List of Petitioner side Documents:



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Exhibit No.	Date	Description of Documents.
Ex.P.1.	31.07.2024	Original Will executed by Mr. J. Santhanakrishnan.
Ex.P.2	-	Computer generated Death Certificate of Ms. J. Visalakshi.
Ex.P.3	-	Computer generated Death Certificate of Mr. A. Jayaram Naidu.
Ex.P.4.	-	Computer generated Legal Heirship Certificate of Mr. J. Santhanakrishnan.
Ex.P.5	-	Computer generated Death Certificate of Mr. J. Santhanakrishnan.
Ex.P.6	30.06.2022	Photocopy of the Partition Deed.
Ex.P.7	-	Affidavit of Assets showing the net value of the estate for a sum of Rs.40,00,000/-.
Ex.P.8.	-	Certificate under Section 63(4) of B.S.A.
Ex.P.9.	17.08.2025	Copy of the paper publication effected in one issue of Tamil daily "Makkal Kural".
Ex.P.10	26.08.2025	Copy of the paper publication effected in one issue of English daily "Trinity Mirror".
Ex.P.11	-	Affidavit of PW2.
Ex.P.12	-	Photocopy of Aadhar Card of PW2.

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