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OP No. 257 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-12-2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

OP No. 257 of 2019

1. Mr.P.Senthil Kumar
S/o.Late Parandhaman, Plot No.2,
Gandhi Avenue, Kaman Nagar Extn.,
Jawahar Nagar Post, Chennai-600 082.,

Petitioner(s)

Vs

1. Indumathi
W/o.Late Paranthanman, Residing at
Door No.,4A, Devi Nagar Annexe,
Nemilichery village, Thirunindravur
Post, Pin code-602 024. Thiruvallur
District.

2.Mrs.Anitha
W/o.Mr.V.Sathish kumar, residing at
Door No.16, Nehru Street,
Madambakkam, Guduvancheri-603
202.

3.Mrs.Suganthi
W/o.Mr.Lala Lajapathi Rai, residng at
Door No.2, D.R.R.Nagar, Extn., Near
Jaya Arts College, Thirunindravur,
Chennai-602 024, Thiruvallur District.

4.Mrs.Chandra Ammal (Deceased)
W/o.Late Govindasmay Naidu, residing
at Door No.1/90,Bajanai Koil Street,
Nemilichery Village, Thirunindravur
Post, Pin code-602 024, Thiruvallur
District (Amendment carried out as per
order dated 13.10.2022 in A.No.4532 of



2022 in O.P.No.257 of 2019)

5.Mrs.Revathy

W/o.Late G.Mohan, residing at Door
No.3/2, S.R.P.Koil Lane(South),
Agaram, Chennai-600 082.

6.Lokesh Kannan

S/o.Late G.Mohan , residing at Door
No.3/2, S.R.P.Koil Lane (South),
Agaram, Chennai-600 082.

7.Minor Yukesh Kannan

S/o.Late G.Mohan, Hindu, aged about
14 years represented by his mother and
guardian, Mrs.Revathy and residing at
Door No.3/2, S.R.P.Koil Lane (South),
Agaram, Chennai-600 082.

8.Mrs.P.Gajalakshmi

W/o.Mr.Pattabiramayya, S/o.Late
G.Mohan , residing at Door No.3/2,
S.R.P.Koil Lane (South), Agaram,
Chennai-600 082.

9.Mrs.Anusuya

W/o.Mr.Sampath Naidu, Residing at
Door No.1/90, Bajanai Koil Street,
Nemilichery Village, Thirunindravur
Post, - 602 024, Thiruvallur District.

10.Mrs.Ramani

W/o.Mr.Jayakumar, Residing at Door
No.2/300, Pandurangan Street,
Athivakkam Village, Vadakarai Post,
Rehills,Chennai -600 052.

11.Mrs.Meera

W/o.Mr.Sethupathi, residing at Door
No.4/670, 2nd Street, Mahalakshmi
Nagar, Padiyanallur, Redhills,
Chennai-600 052.



Respondent(s)

PRAYER: This Original Petition has been filed under Section 232 and 276 of

the Indian Succession Act read with Order XXV Rule 5 of Original Side Rules

praying that the Hon'ble Court may be pleased to grant letters of administration

with the Will annexed of the property and credits of the deceased to the

Petitioner being the grandson / legal heir of one of the beneficiary/legatee viz.,

Paranthaman by way of the Will dated 08.12.1989 of the deceased

Govindasamy Naidu having effect through the State of Tamil Nadu (Amended

as per order dated 02.08.2023 passed in A.No.3698/2023).

For Petitioner(s): M/S.SB LEGAL,
Mr.N.K.Sriraman,

For Respondent(s): M/s.S.Krishnamoorthy

ORDER

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 petitioner, PW1 and PW2 were examined and Ex.P.1 to Ex.P.10 were marked.



3. According to the petitioner, one Mr. Govindasamy Naidu was working in Southern Railways and out of his earnings, he purchased properties totally measuring to an extent of 5.51 acres described as Item Nos.1 to 10 in the schedules. The said Mr. Govindasamy Naidu died on 18.03.1990 leaving behind his wife, two sons and four sisters. The last Will and Testament executed by the said Mr. Govindasamy Naidu is dated 08.12.1989 in the presence of witnesses R. Gajendran and B. Venkataraman. As per the said Will, the wife of the deceased Chandra Ammal was entitled to get the pension amount. After the demise of Mr. Govindasamy Naidu on 18.03.1990, his two sons Mr. Paranthaman and Mr. Mohan inherited the petition mentioned properties as per the terms of the said Will and they had also paid a sum of Rs.15,000/- jointly to each of their sisters, the respondents 8 to 11 herein, as per the wish of their father. The deceased Mr. Govindasamy Naidu is the paternal grandfather of the petitioner herein. The father of the petitioner, who is the son of the deceased Mr. Govindasamy Naidu, died intestate on 08.09.1995 leaving behind his wife, two daughters/ respondents 1 to 3, son / petitioner and his mother / 4th respondent.

3.1. The deceased Mr. Govindasamy Naidu was in possession of immovable properties within the State of Tamil Nadu. A land measuring 24 cents comprised in S. No.21/4 of Konnur Village was sub divided into separate house sites and various plots were sold to third parties and only Plot No.2



measuring 1280 sq. ft. in Kambar Nagar Extn., was retained by the sons of the deceased Mr. Govindasamy Naidu. The petitioner, his mother and sisters along with another son of the deceased Mr. Mohan had partitioned the properties bequeathed by the deceased Mr. Govindasamy Naidu in favour of his sons Paranthaman and Mohan as per the Will, through a registered Partition Deed dated 10.12.2014. The said Mr. Mohan also died intestate on 21.08.2016 leaving behind his wife, two sons, the respondents 5 to 7 herein and his mother Chandra Ammal / 4th respondent. While so, the respondents 10 and 11 has filed a Suit for partition on the file of the Additional District Court No.II, Poonamallee in O.S. No.42 of 2017 against the petitioner and the respondents 1 to 9 claiming 2/7th share in the petition mentioned properties by completely suppressing about the Will executed by Late Mr. Govindasamy Naidu. The petitioner and the respondents 1 to 9 have filed their written statement in the above said Suit. All the family members including the respondents 10 and 11 are fully aware of the execution of the Will by the deceased Mr. Govindasamy Naidu. As per the said Will, the legatees i.e., the father of the petitioner herein and Mr. Mohan, another son of the deceased, have sold many portions and also have effected partition among them. As per the Will, the daughters of the deceased Mr. Govindasamy Naidu have absolutely no right in the properties, as the deceased had bequeathed the properties, in clear terms, in favour of his sons. The properties covered under the registered Sale Deeds dated 11.10.1993, 13.12.1976, 26.02.1987 and 31.08.1986 detailed as Item Nos.11 to 15 in



Schedule A hereunder, are in favour of his father (late) G. Paranthaman and late Mr. G. Mohan was allotted separate properties.

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3.2. The amount of assets which are likely to come to the petitioner's hand does not exceed in the aggregate a sum of Rs.50,00,000/-. The petitioner has impleaded all the next of kin or other persons as respondents herein. There is no other next of kin or interested persons to be impleaded.

4. The petitioner herein, was examined as PW1. He has stated that the Testator Mr. Govindasamy Naidu is none other than his grandfather and he reiterated the petition averments. PW2, Mr.Gajendran, is one of the attesting witnesses in the Will. He has deposed that he knows the testator for 30 years, that the Testator had executed a Will dated 08.12.1989 and he was also present along with the testator at the time of execution of Will. He has signed as second attester to Ex.P.1 Will in the presence of the testator and the 1st attesting witness is Mr. Venkatraman. He has also identified his signature and the signature of the testator in the Will. A perusal of evidences of PW1 and PW2 and Ex.P.1 to Ex.P.10 revealed that the petitioner and the respondents are the legal heirs of the deceased.

5. It is seen from the records that the respondents 10 and 11, have filed a Suit in O.S. No.42 of 2017 on the file of the II Additional District and Sessions Judge, Thiruvallur at Poonamallee as against the petitioner and other respondents 1 to 9 herein. The said Suit was dismissed for default vide order



dated 06.02.2024. Now, the petitioner has filed this petition to grant letters of administration to the estate and credits 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. Except the respondents 10 and 11, all the other respondents have filed their consent affidavits to grant letters 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. Govindasamy Naidu 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.

11-12-2025

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Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No

**APPENDIX:****List of Petitioner side Witnesses:**

PW1 : Mr. P. Senthil Kumar
PW2 : Mr. R. Gajendran

List of Petitioner side Documents:

Exhibit No.	Date	Description of Documents.
Ex.P.1.	08.12.1989	Original Will executed by Mr. R. Govindasamy Naidu.
Ex.P.2	-	Original death Certificate of Mr. Govindasamy Naidu.
Ex.P.3	-	Photocopy of the Legal Heirship Certificate of Mr. Govindasamy Naidu.
Ex.P.4.	-	Original Death Certificate of Mr. G. Paranthaman.
Ex.P.5	10.12.2014	Photocopy of the Partition Deed.
Ex.P.6	-	Affidavit of assets showing the net value of the estate as Rs.50,00,000/-
Ex.P.7	02.09.2021	Copy of the paper publication effected in one issue of Tamil Daily “Makkal Kural”.
Ex.P.8.	09.09.2021	Copy of the paper publication effected in one issue of English daily “Trinity Mirror”.
Ex.P.9	-	Computer generated legal heirship certificate of Mr. G. Paranthaman.
Ex.P.10	-	Certificate under Section 65B of the Indian Evidence Act, 1872.

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