Order QR

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-10-2026

CORAM

THE HON'BLE MR.JUSTICE P.B. BALAJI

OP No. 201 of 2025

CNR: {HCMA010117442025}

1. M. Sowmya Mathangi
   W/o. M.Kannan

2. M.Revathi
   D/o. N.Muthukumar @ N.M.Kumar

..Petitioner(s)

Vs

1. M. Banumathi
   W/o. N.Muthukumar @ N.M.Kumar

2. K.Sumathi
   W/o. Kulanchinathan,

3. V.Kavitha
   W/o. Sivakumar Selva Ganapathy,
   D/o. S.Vageesan,

..Respondent(s)

Original Petition filed under Sections 232 and 276 of Indian Succession Act, XXXIX of 1925 and Order XXV Rule 5 of Original Side Rules to grant Letters of Administration with the Will annexed to the petitioners, as granddaughters/Beneficiaries/Legatees under the Will of the deceased having effect limited to the State of Tamil Nadu in respect of the property mentioned in the petition.

For Petitioner(s): Mr.T.Sezhian

For Respondent(s): Ms.G.Indira

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This Original Petition has been filed by the beneficiaries under the last Will and testament of K.M.Natarajan, who died on 28.09.2002, leaving behind a Will dated 29.09.1986, which has been executed in the presence of two witnesses.

2. The petitioners are the grandchildren through the son of the testator by name N.Muthkumar @ N.M.Kumar. The first respondent is the mother of the petitioners. Respondents 2 and 3 are the daughters of pre-deceased daughter of the testator K.M.Natarajan. The respondents have given their consent, expressing no objection for the grant of Letters of Administration, with the Will annexed, as prayed for by the petitioners. The Original Will has been filed along with the Original Petition. It is in fact a registered document, registered on the file of then Sub-Registrar, Mylapore

3. Insofar as the due execution and attestation of the Will is concerned, the learned counsel for the petitioners states that the daughter of first Attesting Witness viz., B.Simon has filed a third party affidavit identifying the signature of her father. Since respondents have given consent, that they are admitting to the execution and attestation of the Will, which implies that they are not disputing the signature of the testator. A general paper publication has also been effected as directed by this Court and in compliance with the provisions of the Indian Succession Act.

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In the light of the above, I am inclined to grant Letters of Administration in favour of the petitioners, as prayed for.

4.In fine,

(i) This Original Petition is ordered and the Letters of Administration, having effect throughout the State of Tamil Nadu, shall be issued in favour of the petitioners, with the Will dated 29.09.1986, annexed;

(ii) The petitioners are directed to duly administer the properties and credits of the deceased more fully described in the suit schedule;

(iii) The petitioners shall 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;

(iv) The petitioners are further directed to make a full and true inventory of the property and credits of the deceased testator, K.M.Natarajan, to be made and the same be exhibited before this Court, within six months from the date of grant of Letters of Administration to them and also to render a true account of the property and credits of the testator, within one year from the date of obtaining the grant.

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

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Witnesses examined on the side of the petitioner:

P.W.1 – Mrs.Sowmya Mathangi

Documents exhibited by the petitioner:

Exhibits	Description
Ex.P1	Photocopy of the Death Certificate of K.M.Natarajan dated 30.09.2002.(Compared with original).
Ex.P2	Photocopy of the Sale Deed in favour of K.M.Natarajan dated 01.11.1968.(Compared with original).
Ex.P3	Photocopy of the Death Certificate of V.Renuka dated 17.07.2002.
Ex.P4	Photocopy of the Death Certificate of N.M.Kumar dated 05.08.2002. (Compared with original).
Ex.P5	Photocopy of the Legal Heirship Certificate of N.M.Kumar dated 30.09.2002.(Compared with original).
Ex.P6	Photocopy of the Legal Heirship V.Renuka dated 14.11.2003.
Ex.P7	Photocopy of the Death Certificate of N.Bhavani dated 13.01.2003. (Compared with original).
Ex.P8	Original Registered Will executed by K.M.Natarajan dated 29.09.1986.
Ex.P9	Printout of the Property Tax Receipt in the name of the Testator, K.M.Natarajan dated 17.12.2006.(Certificate u/s 63 (4) (c) of BSA filed).
Ex.P10	Printout of the Metro Water Supply and Sewerage Board Receipt in the name of K.M.Natarajan dated 28.02.2015.(Certificate u/s 63 (4) (c) of BSA filed).
Ex.P11	Printout of the Property Tax Receipt in the name of K.M.Natarajan dated 20.06.2021. (Certificate u/s 63 (4) (c) of BSA filed).
Ex.P12	Printout of the Valuation Report of Land and Building. (Certificate u/s 63 (4) (c) of BSA filed).
Ex.P13	Consent Affidavit of First Respondent M.Banumathi dated 30.05.2025.
Ex.P14	Consent affidavit of Second Respondent K.Sumathi dated 09.06.2025.
Ex.P15	Consent affidavit of Third Respondent V.Kavitha dated 06.06.2025.
Ex.P16	Copy of the Paper Publication issued in Tamil Daily Malai Malar dated 04.03.2026.
Ex.P17	Copy of the Paper Publication issued in English Daily Trinity Mirror dated 11.03.2026.

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