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OP No. 253 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-01-2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

OP No. 253 of 2025

1. C.Venkateswarlu
S/o C.Maruthi,
No.37/17, Reddy Raman Street,
Sowcarpet, Chennai - 600 001
2. Malika
W/o P.Krishnamurthy,
D/o Late C.Maruthi,
No.30/31, Dr.Guruswamy Road, Chetput,
Sindhur Park, Block-2, Plot No.G-2,
Chennai - 600 031
3. Lavanya
W/o Late Murali Krishnan,
No.37/17, Reddy Raman Street,
Sowcarpet, Chennai - 600 001
4. Raja Rajeswari
W/o Venkatsubramanian
D/o Late Murali Krishnan,
No.37/17, Reddy Raman Street,
Sowcarpet, Chennai - 600 001
5. Venkata Krishna Curapatimurali
S/o Late Murali Krishnan,
No.37/17, Reddy Raman Street,
Sowcarpet, Chennai - 600 001
6. Vivardhan
S/o Late Mohan Krishnan,
No.37/17, Reddy Raman Street,
Sowcarpet, Chennai - 600 001



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7. Vinodh
S/o Late Mohan Krishna,
No.30, GF, 1 Guru Saravana,
AGS Colony,
6th main Road,
Velachery, Chennai - 600 042

..Petitioner(s)

Prayer:

Petition filed under Sections 218 and 278 of the Indian Succession Act 1925 (XXXIX of 1925) r/w Order XXV Rule 5 of the Original Side Rules 1956 to grant Letters of Administration to the property and credits of the deceased to have effect throughout the State of Tamil Nadu

For Petitioner(s): Mr.M.Eghambharam

ORDER

This petition has been filed under Sections 218 and 278 of the Indian Succession Act 1925 (XXXIX of 1925) r/w Order XXV Rule 5 of the Original Side Rules 1956 to grant Letters of Administration to the 7th petitioner to the estates and credits of the deceased having effect through out 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.22 were marked.

3. According to the petitioners, a property comprised in Old Door No.17, New Door No.37, Reddy Raman Street, chennai – 1 comprised in R.S.No.10865, in Block No.87, VOC Nagar Division, Fort Tondiarpet Taluk, Now, Purasawalkam Taluk, Chennai District measuring an extent of 1863 sq.ft., land was originally belonged to one Kupppammal by virtue of registered Will dated 26.06.1941 and the same was earlier probated by this Court in O.P.No.277 of 1942 on 25.03.1943. As per the condition mentioned in the said Will dated 26.06.1941, the said Kupppammal shall hold the property till her life time and after her life time, the same shall go to the legal heirs of Kupppammal and in default, the same shall revert back to C.Maruthi and his children.

3.1. The said Kupppammal expired intestate on 14.05.1980 leaving behind her husband alone, namely, R.Venkatraman and there are no children born to them and the said R.Venkatraman expired on 29.01.1990. As per the conditions mentioned in the said Will, the schedule property is reverted to



C.Maruthi and his children and since then they were in absolute peaceful possession and enjoyment of the same. The said C.Maruthi expired intestate on 03.11.2003 leaving behind his wife viz., C.Marakathamma, three sons, viz., C.Muralikrishna, C.Mohan Krishna and C.Venkateswarlu [1st petitioner] and two daughters, namely, C.Anjini Devi and C.Malika [2nd petitioner], as his legal heirs and the said C.Marakathamma expired on 08.12.2004 and one of the son of C.Murali Krishnan expired on 28.03.2021 leaving behind his wife, namely, Lavanya [3rd petitioner], daughter, viz., Rajarajeswari Venkatsubramanian [4th petitioner] and son, viz., Venkatakrishna Curapati Murali [5th petitioner]. Further, another son, Mohan Krishna expired on 06.04.2021 leaving behind his wife, Sujatha and two sons, viz., Vivardhan [6th petitioner] and Vinodh [7th petitioner] and the wife of Mohan Krishna, viz., Sujatha expired on 07.05.2007. One Anjini Devi, daughter of C.Maruthi died on 20.04.2017, unmarried. The respondents 1 to 6 have filed their consent affidavits to grant letters of administration to the 7th petitioner. The amount of assets which are likely to come into the petitioners' hand does not exceed aggregate sum of Rs.29,55,000/-. As per the condition mentioned in the said Will dated 26.06.1941, the said Kuppammal was in possession of the property till her life time and after her life time, the same would devolve on the legal heirs of Kuppammal and in default the same shall revert back to C.Maruthi and his children. Since the said Kuppammal and her husband died intestate



without any issues, the said C.Maruthi and his legal heirs are in possession of the property. Therefore, the petitioners prayed to grant letters of administration in favour of the 7th petitioner.

4. The 7th petitioner herein, was examined as PW1. A perusal of evidence of PW1 and Ex.P.1 to Ex.P.22 revealed that the petitioners are the legal heirs of the deceased C.Maruthi and no any objection has been received from any party to grant letters of administration to the 7th petitioner.

5. A registered Will dated 26.06.1941 was executed by the deceased Coorapathy Thirumushi Chetty in the presence of two attesting witnesses and the said Will was already probated by this Court through O.P.No.277 of 1942 on 25.03.1943. As per the condition of the Will, since Kuppammal expired without any legal heirs, the property reverted to C.Maruthi and his legal heirs. The petitioners 1 to 7 are the legal heirs of C.Maruthi and the petitioners 1 to 6 have also filed their consent affidavits to grant letters of administration to the 7th petitioner. Therefore, the petitioners, through the evidences and documents, have amply proved that the property belonged to C.Maruthi and the petitioners are the legal heirs of C.Maruthi. Therefore, the petitioners are entitled to the relief as prayed for in the petition.

6. Accordingly, this Original Petition is **allowed** and Letter of Administration, to the estates and credits of the deceased C.Maruthi in favour of the 7th petitioner, is granted.



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7. Issue Letters of Administration in favour of the 7th petitioner. The 7th petitioner is directed to duly administer the properties and credits of the deceased more fully described in the schedule. The 7th petitioner is 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 7th petitioner is further directed to render true and correct accounts once in a year.

20.01.2026

Index : Yes/No
Speaking Order : Yes/No
ssd

APPENDIX:

List of Petitioners side Witnesses:

PW1 : Mr.Vinodh

List of Petitioners side Documents:

Exhibit No.	Date	Description of Documents.
Ex.P.1.	26.06.1941	Certified copy of the Will and Testament executed by Coorapaty Thirumushi Chetty
Ex.P.2	25.03.1943	Certified copy of the order dated 25.03.1943 in O.P.No.277 of 1942
Ex.P.3	-	Computer generated copy of the Death Certificate of Kuppammal
Ex.P.4.	-	Photocopy of the legal heirship certificate of Mrs.Kuppammal
Ex.P.5	-	Computer generated death certificate of Mr.C.Maruthi
Ex.P.6.	-	Computer generated copy of the Death Certificate of Mr.C.Maruthi
Ex.P.7.		Photocopy of legal heir certificate of Mr.C.Maruthi



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Ex.P.8.	-	Computer generated death certificate of Mrs.c.Marakathama
Ex.P.9.	-	Photocopy of the Legalheirship Certificate of Mrs.C.Marakathamma
Ex.P.10		Original Encumbrance Certificate.
Ex.P.11	-	Computer generated legalheirship of Mr.C.Muralikrishnan
Ex.P.12	-	Computer generated death certificate of Mr.Mohana Krishna
Ex.P.13	-	Computer generated legal heirship certificate of Mr.Mohana Krishnan
Ex.P.14	-	Computer generated death certificate of Mrs.C.Sujatha
Ex.P.15	-	Certified copy of the account statement of SBI bearing account no.108130740 in respect of C.Anjini Devi
Ex.P.16	-	Computer generated death certificate of Mrs.Anjini Devi
Ex.P.17	-	Downloaded copy of the patta stands in the name of C.Maruthi Chetty
Ex.P.18	-	(series 7 Nos.) are the photocopies of the Aadhaar cards of the petitioners (compared with the originals)
Ex.P.19	13.08.2025	Copy of paper publication effected in one issue of Tamil Daily 'Makkal Kural'
Ex.P.20	06.08.2025	Copy of the paper publication effected in one issue of English Daily "Trinity Mirror"
Ex.P.21	-	Affidavit of assets showing the net value of the estate Rs.29,55,000/-
Ex.P.22	-	Certificate under Section 63(4)(C) of BSA

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