



OP No. 130 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-01-2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

O.P No. 130 of 2025

1. Pragati Suryakar
D/o.Late S.Prakash
2. Vikas Suryakar
S/o.Late S.Prakash
Both are residing at No.17/37, Oil Mongar
Street, Twinkl Apts, Flat No.5, Royapettah,
Chennai - 600 014.

..Petitioner(s)

Vs

Nil

..Respondent(s)

Prayer:

Original Petition filed under Sections 218 and 278 of the Indian Succession Act of 1925, r/w Order XXV Rule 5 of Original Side Rules to issue Letters of Administration to the property and credits of the deceased, to have effect throughout the State of Tamil Nadu may be granted to them

For Petitioner(s): Ms.S.Vennila

ORDER

This petition has been filed under Sections 218 and 278 of the Indian Succession Act r/w Order XXV Rule 5 of O.S.Rules to grant Letters of Administration to the petitioners to the estates and credits of the deceased having effect limited to the State of Tamil Nadu.



2. After filing of this petition, this Court directed the petitioners to effect general 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 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 was examined and Exhibits Ex.P.1 to Ex.P.8 were marked.

3. According to the petitioners, they are the daughter and son of deceased S.Prakash respectively. The said S.Prakash died intestate on 27.04.2022 leaving behind the petitioners, as his legal heirs and the wife of Prakash, viz., S.Vijaya also died on 05.10.2016. The deceased Prakash had purchased the schedule mentioned properties on 06.10.2005. Though due and diligent search has been made for a Will but none has been found. The petitioners are the only surviving legal heirs and there is no other next of kin to the deceased. The net amount of the assets would come around Rs.85,00,000/-. There are no other next of kin to the deceased except the petitioners.

4. The 2nd petitioner herein, was examined as PW1. He has deposed that he is the son of the deceased Prakash and reiterated the petition averments. A perusal of evidence of PW1 and exhibits Ex.P.1 to Ex.P.8



OP No. 130 of 2025

revealed that the petitioners are the legal heirs of the deceased Prakash and no any objection has been raised by any of the parties to grant letters of administration to the petitioners. Therefore, the petitioners, through the evidences and documents, has amply proved their case. Therefore, the petitioners are entitled to the relief as prayed for in the petition.

5. Therefore, this Original Petition is **allowed** and Letter of Administration, to the estates and credits of the deceased Mr. S.Prakash in favour of the petitioners, is granted.

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

08.01.2026

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

APPENDIX:

List of Petitioners side Witness:

PW1 : Mr. Vikas Suryakar



OP No. 130 of 2025

WEB COPY

List of Petitioners side Documents:

Exhibit No.	Date	Description of Documents.
Ex.P.1	06.10.2005	Photocopy of Sale deed in Doc.No.1233 of 2005
Ex.P.2	-	Photocopy of the Death Certificate of S.Prakash
Ex.P.3	-	Photocopy of the death certificate of S.Vijaya
Ex.P.4.	-	Photocopy of the Aadhaar card of the 2 nd petitioner
Ex.P.5	-	Photocopy of the TC of the 1 st petitioner
Ex.P.6	11.06.2025	Paper publication issued in Tamil Daily Makkal Kural
Ex.P.7	18.06.2025	Copy of Paper Publication issued in English daily Trinity Mirror
Ex.P.8	-	Photocopy of the transfer certificate of the 1 st petitioner Mrs.Pragathi Suryakar issued by Adarsh Vidyalaya Matriculation School

07-01-2026

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

ssd



WEB COPY



OP No. 130 of 2025

P.DHANABAL, J.

ssd

OP No. 130 of 2025

07-01-2026