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OP No. 314 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-02-2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

O.P No. 314 of 2025

G.Thamizhoviya
D/o Gangadharan,
No.22/10, KAmaraaj Nagar 2nd Street,
Choolaimedu, Chennai - 600094

..Petitioner(s)

Vs

Nil

..Respondent(s)

Prayer: Petition filed under Sections 232 and 276 of the Indian Succession Act, 39 of 1925 r/w order XXV Rule 5 of Original Side Rules, 1956 to grant Letters of Administration to the petitioner for the Will annexed.

For Petitioner(s):

Mr.K.S.Guruprasadh

ORDER

This petition has been filed under Sections 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 limited to the State of Tamil Nadu.



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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 Exhibits Ex.P.1 to Ex.P.17 were marked

3. According to the petitioner, she is the daughter of the younger brother of the deceased, C.Kothandaraman and brother-in-law's daughter of the deceased K.Kamala. The said C.Kothandaraman and K.Kamala died on 26.01.2024 and 08.11.2018 respectively. The Schedule 'A' mentioned property in the Will originally belongs to late grandfather of the petitioner, namely, Mr.Chinnakannu and the said Chinnakannu died intestate on 6.12.1982 leaving behind his wife, Mrs.Deiviyana Chinnakannu and sons, viz., Gangadharan and Kothandaraman as legal heirs to inherit the property. Thereafter, the said Deiviyana Chinnakannu, who is the grand mother of the petitioner,



executed a release deed dated 17.03.1988 in favour of Gangadharan and Kothandaraman and she also died intestate on 28.12.2005. Subsequently, the petitioner's father, viz., Gangadharan died on 16.12.2014. Further, the deceased Kamala purchased the Schedule 'B' mentioned property on her own. The deceased Kamala and Kothandaraman were married and had no children, therefore, out of love and affection, the deceased testators have executed a joint Will bequeathing the schedule mentioned properties in the name of the petitioner on 15.09.2018. The last Will and testament executed by the deceased was on 15.09.2018 and no executor was appointed under the Will. The petitioner is the only surviving legal heir and there is no other next of kin to the deceased. The net amount of the assets would come around Rs.1,51,66,600/- and there are no other next of kin to the deceased except the petitioner.

4. The petitioner herein, was examined as PW1. She has deposed that she is the younger brother's daughter of deceased Kothandaraman and brother-in-law's daughter of Kamala and reiterated the petition averments. PW2 is one of the attesting witnesses in the Will and she



has deposed that the testators had executed a Will dated 15.09.2018 and she was also present along with the testator at the time of execution of Will. She has also identified the signatures of the testators in the Will and she is the first attesting witness to the Will. A perusal of evidences of PW1 and PW2 and Exhibits Ex.P.1 to Ex.P.17 revealed that the petitioner is the Class II legal heir of the deceased testators and no any objection has been raised by other party to grant letter of administration to 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.

5. Therefore, this Original Petition is **allowed** and Letters of Administration, to the estates and credits of the deceased testators, Mrs. Kamala Kothandaraman and Kothandamaran in favour of the petitioner, is granted.

6. 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**



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(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
ssd

APPENDIX:

List of Petitioner side Witnesses:

PW1 : Mrs.G.Thamizhoviya
PW2 : Mrs.Kanmani Gangadharan

List of Petitioner side Documents:

Exhibit No.	Date	Description of Documents.
Ex.P.1.	15.09.2018	Original Will executed by Mr.C.Kothandaraman
Ex.P.2	24.08.1987	Photocopy of the Sale deed executed by the Associated Real Estates in favour of Mrs.Kamala Kothandaraman
Ex.P.3	17.03.1988	Photocopy of the release deed dated 17.03.1988 executed by Mrs.Deivayanai in favour of Mr.Kothandaraman and Gangadharan.
Ex.P.4.	-	Photocopy of the family card of Mr.Kothanda Raman
Ex.P.5	-	Photocopy of the Aadhar card of Mr.Kothandaraman
Ex.P.6	-	Photocopy of the Aadhar card of Mrs.Kamala
Ex.P.7	-	Photocopy of Aadhar card of the petitioner



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Ex.P.8	-	Photocopy of the legal heirship certificate of Mr.Chinnakannu Naicker
Ex.P.9	-	Computer generated death certificate of Mr.Chinnakannu
Ex.P.10	-	Downloaded copy of the patta stands in the name of Mrs.Deivayanai, Mr.C.Kothandaraman, Mr.C.Gangadharan along with certificate under Section 63(4) (C) of BSA
Ex.P.11	-	Affidavit of the assets showing the net value of the estate as Rs.1,51,66,600/-
Ex.P.12	-	Computer generated death certificate of Mrs.Deivayanai Chinnakannu
Ex.P.13	-	Computer generated death certificate of Mr.C.Gangadharan
Ex.P.14	-	Computer generated death certificate of Mr.C.Kothandaraman
Ex.P.15	-	Computer generated death certificate of Mrs.Kamala
Ex.P.16	14.11.2025 21.11.2025	Copies of paper publication effected in one issue of Tamil Daily 'Malai Tamizhagam' and one issue English daily 'Trinity Mirror'
Ex.P.17	-	Certificate under Section 63(C) (4) of BSA for the electronic documents.

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

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