



WEB COPY

A No. 1978 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-06-2026

CORAM

THE HON'BLE DR.JUSTICE A.D.MARIA CLETE

A No. 1978 of 2026

in

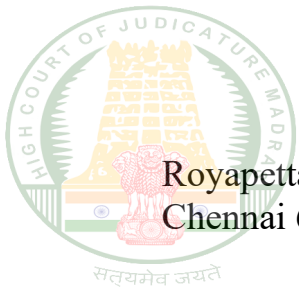
O.P.No.58 of 2025

1. A.S. Balasubramanian and 3 others
S/o. A.N.Sankaran,
60/2, Seethapathi Street,
Balaiah Garden, Madipakkam,
Chennai 600 091.
2. Mr.A.S.Ramakrishnan
S/o. A.N.Sankaran,
37, State Bank Colony, Adambakkam,
Chennai 600 088.
3. Mrs.S.Lalitha
D/o. A.N.Sankaran,
4, Plot No.7, Thiruvalluvar Main Road,
Adambakkam, Chennai 600 088.
(Presently at 6500, Proctor Avenue,
Kansas City, M.O.U.S.A)
4. Mrs.K.Geetha
D/o. A.N.Sankaran and
W/o. V.Krishnamoorthi,
F-14, Block 1, Garuda Avenue,
Melure Road, Srirangam.

..Applicant(s)

Vs

T.P. Sankaranarayanan
S/o. T.N.Padmanabhan (Late),
Old No.12, New No.23,
Ramasamy Garden Street,



Royapettah,
Chennai 600 014.

..Respondent(s)

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Prayer : Application filed under Order XIV Rule 8 of Madrs High Court Original Side Rules and Section 307 of the Indian Succession Act, 1925 to grant necessary permission to sell the flat bearing No.B-12, in the Second Floor of Block NO.B, at Door No.34, Velachery Road, Venkatapuram Village, Guindy, Saidapet, Chennai 600 015 measuring 910 Sq.ft with an 1/90th undivided share of land (i.e. 484.7 out of 43566 sq.ft) Comprised in S.No.84 Part 81/A, 81/B, 70, 72 part, 86,87 Block 6, as per TSLR Block No.0028 S.No.27 situate at Venkatapuram Village, Saidapet Taluk, within the Registration District of Chennai south, and Sub Registration District of Adyar, and to share the proceeds equally among the petitioners in the Petitioners in the O.P.No.58 of 2025.

For Applicant(s): Mr. B. Srikumar

For Respondent(s): Ms.B.Nikitha
for Mr.K.R.Prathap Chander

ORDER

The applicants, who were granted Letters of Administration in O.P.No.58 of 2025 by an order dated 11.09.2025, have filed the present application seeking permission of this Court to sell the schedule-mentioned property and distribute the sale proceeds among the beneficiaries/legal heirs.



2. The only question that arises for consideration is whether such an application is maintainable before this Court in its testamentary jurisdiction.

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3. Once Letters of Administration have been granted, the Original Petition stands concluded. The administrator derives authority under the Indian Succession Act, 1925, to administer the estate in accordance with law. The Testamentary Court does not retain jurisdiction to grant permission for sale of estate properties or to supervise distribution of the estate among beneficiaries, except to the extent specifically provided under the Act.

4. Section 307 of the Indian Succession Act, 1925 empowers an executor or administrator to dispose of the property of the deceased in the course of administration of the estate. Such power is intended to be exercised for purposes connected with administration, including discharge of the debts, liabilities and other obligations of the deceased testator. The Testamentary Court does not retain jurisdiction to grant permission for sale of estate properties or to supervise distribution of the estate among beneficiaries, except to the extent specifically provided under the Act.

5. The relief sought by the applicants falls outside the scope of testamentary jurisdiction. Consent or no objection by any of the beneficiaries cannot confer jurisdiction upon this Court.



6. Accordingly, this Court is of the view that the present application is not maintainable. Accordingly, A.No.5328 of 2025 is dismissed as not maintainable.

08-06-2026

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

vrc



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DR.A.D.MARIA CLETE, J.

VRC

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