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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. 715 of 2024

CNR: {HCMA011046562024}

1. Roshan Anthony Gunawardhana
   S/o.Late Rohan Sunil Gunawardhana,
   Everton Tea India Pvt Ltd.
   270 Alstonia Drive, Sri City S.E.Z.,
   Sathyaveda Mandal
   Andhra Pradesh 517 646.

2. Roshane Christopher Gunawardhana
   S/o. Late Rohan Sunil Gunawardhana,
   15/1 Atapattu Road,
   Dehiwala
   Sri Lanka

..Petitioner(s)

Vs

1. Mrs.Caryla Anastasla Gunawardhana
   W/o. Late Rohan Sunil Gunawardhana,
   15/1 Atapattu Road,
   Dehiwala,
   Srilanka

2. Subramaniam Purikko Alias Suppiramaniam
   Purikko,
   "Sumani" Agra Gardens,
   Agraoya Estate Division B,
   22008 Rozella,
   Srilanka.

..Respondent(s)

Original Petition filed under Sections 228 and 276 of the Indian Succession Act read with Order XXV Rule 5 of Original Side Rules to issue Letters of Administration with the Certified copy of the probate along with copy

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of Will annexed to the petitioners as the Son / beneficiary under the Will of the said Deceased having effect throughout India.

For Petitioner(s): Mr.G.Rm. Palaniappan

For Respondent(s): Mr.A.Durai Eswar for R2

ORDER

This Original Petition has been filed seeking ancillary grant of Letters of Administration in respect of the Will which has already been probated before the Additional District Judge, Mount Lavinia, Sri Lanka.

2. The second respondent was the executor appointed under the Will dated 17.08.2017. The Will has been duly probated as aforestated before the Court of competent jurisdiction in Sri Lanka. The said proceedings were initiated by the second respondent and the petitioners are beneficiaries under the said will, who are none other than the sons of the deceased testator. The first respondent is the wife of the testator.

3. Respondents 1 and 2 have filed their consent affidavit and they are represented by learned counsel Mr.A.Durai Eswar. Mr.A.Durai Eswar, learned counsel would disclose the factum of the respondents having no objection for grant of Letters of Administration pursuant to the grant of probate by learned Additional District Judge, Mount Lavinia, Sri Lanka. The certified copy of the probate granted by Additional District Judge, Mount Lavinia, Sri Lanka.is also produced along with the true copy of the English translation since the original

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Will is in Sinhala language.

4. I do not find any impediment for ancillary grant of Letters of Administration in favour of the petitioners who are the beneficiaries and require this grant for effecting necessary administration of the benefits in their favour since the properties situate within the jurisdiction of this Court. Considering that the Will is already probated before the competent Court in Sri Lanka, I do not deem it necessary to call upon petitioners to execute the bond, which is normally required under Section 291 of Indian Succession Act since Section 291 applicable only when the grant is made under Section 241 and does not include a grant grant of Letters of Administration under Section 228 as in the present case.

5.In fine, this Original Petition is ordered and the Letters of Administration with the certified copy of the probate and the copy of Will annexed, having effect throughout India, shall be issued in favour of the petitioners, with the Will dated 17.08.2017, annexed.

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

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P.B.BALAJI, J.

gpa/ve

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