



WEB COPY

O.P. No. 12 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-01-2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

OP No. 12 of 2025

1. M. Dharaniraj
S/o. M.R.Madurai (Late),
No.231, 13th Street,
SRP Colony,
Peravallur Jawahar Nagar S.O.,
Chennai 600 082.
2. M.Rajendra Babu
S/o. M.R.Madurai (late),
A1 Dwaraka Apartment,
Koilmaniyam, Krishna Nagar,
Kelambakkam, Vandalur Road,
Kelambakkam, Chennai 603 103.
3. M.Satyanarayana
S/o. M.R.Madurai (Late),
NO.65-B, New No.114,
Peeriyapathai,
Choolaimedu,
Chennai 600 094.

..Petitioner(s)

Vs

1. Mrs. Vijayalakshmi Divakaran
W/o. Divakaran,
No.11, Gandhi Nagar 4th Street,
Koiya Thoppu, Kodungaiyur,
Chennai 600 118.
2. Lalitha
W/o.Baskar,
Unit-3, Ground Floor Pine Block,
Eden Park, L and T Apartments,
Siruseri, Navaloor, Chennai 603 103.



..Respondent(s)

Prayer:

Petition filed under Sections 232 & 276 of the Indian Succession Act, 1925 and Order XXV Rule 5 of High Court Original Side Rules for Letters of Administration with Will annexed of the properties and credit of the deceased may be granted to them as the sons and beneficiaries/legatees of the Will of the said deceased thereof, having effect limited to the State of Tamil Nadu.

For Petitioner(s): Mr.S.William

For Respondent(s): Served – No appearance

ORDER

This petition has been filed under Sections 232 and 276 of the Indian Succession Act and Order XXV rule 5 of High Court Original Side 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 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.14 were marked.



3. According to the petitioners, the petitioners and the respondents are the sons and daughters of Late M.R.Madurai respectively. The said M.R.Madurai died on 27.10.2008 and the deceased Madurai had purchased the land comprised in Survey No.357, Block No.2, T.S.No.1/3 Part, situated at Puliyur Village, measuring an extent of 1200 Sq.ft., together with a house building constructed therein at Old Door No.65B, New Door No.114, Periyar Pathai, Choolaimedu, Chennai – 94. The wife of the said M.R.Madurai died intestate on 27.01.2014 and the parents of M.R.Madurai predeceased him. The last Will and testament executed by the deceased was on 18.03.2004. No executor was appointed under the Will. The petitioners and the respondents 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.20,00,000/-. There are no other next of kin to the deceased except the petitioners and the respondents. The respondents have given their consent to grant letters of administration in favour of the petitioners.

4. The 1st petitioner herein, was examined as PW1. He has deposed that he is the son of the deceased M.R.Madurai and reiterated the petition averments. PW2 is one of the attesting witnesses in the Will.



He has deposed that the testator had executed a Will dated 18.03.2004 and he was also present along with the testator at the time of execution of Will. He has also identified the signatures of the attestor and testator in the Will. A perusal of evidences of PW1 and PW2 and Ex.P.1 to Ex.P.14 revealed that the petitioners and the respondents are the legal heirs of the deceased and no any objection has been raised either by the respondents or any other party to grant Letters of Administration to the petitioners. Further, the respondents have given their consent affidavits to grant Letters of Administration in favour of the Petitioners. Therefore, the petitioners, through the evidences and documents, have amply proved the execution of Will. Therefore, the petitioners are 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 Mr.Madurai 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.

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

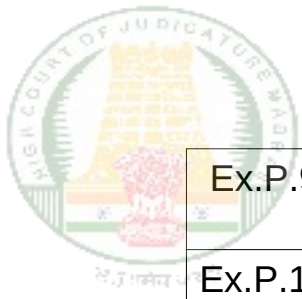
APPENDIX:

List of Petitioner side Witnesses:

PW1 : Mr.Dharaniraj
PW2 : Mr.E.balakrishnan

List of Petitioner side Documents:

Exhibit No.	Date	Description of Documents.
Ex.P.1.	17.10.1979	Photocopy of the sale deed dated 17.10.1979 executed in favour of Mr.M.R.Madurai
Ex.P.2	18.03.2004	Original Will and Testament executed by M.R.Madurai Naicker.
Ex.P.3	-	Computer generated death certificate of Mr.M.R.Madurai
Ex.P.4.	-	Photocopy of the legal heirship certificate of Mr.M.R.Madurai
Ex.P.5	-	Computer generated death certificate of Mr.N.Ranga @ Ranganayageammal
Ex.P.6	05.06.2017	Downloaded copy of the property tax receipt dated 05.06.2017 in the name of M.R.Madurai Naicker
Ex.P.7	13.03.2024	Downloaded copy of the property tax receipt in the name of Mr.M.R.Madurai Naicker
Ex.P.8	28.03.2024	Downloaded copy of the water tax and charges e-receipt in the name of M.R.Madurai Naicker



Ex.P.9	-	Photocopy of the E.B. Card in the name of M.R.Madurai
Ex.P.10	-	Downloaded copy of the electricity bill in the name of M.R.Madurai
Ex.P.11	-	Affidavit under Section 63(4)(c) of BSA for electronic documents
Ex.P.12	-	Affidavit of assets showing the net value of the estate as Rs.19,80,000/-
Ex.P.13	08.11.2025	Copy of the Paper publication effected in one issue of Tamil Daily 'Malai Malar'
Ex.P.14	17.11.2025	Copy of the paper publication effected in one issue of English Daily 'Trinity Mirror'

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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