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OP No. 477 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-06-2026

CORAM

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

OP No. 477 of 2025

1. R. Vijayabaskar and 4 others
S/o. R.Ranganathan,
No.18, West Agraharam,
Valavanur, Villupuram Taluk,
Villupuram 605 108.
2. Vasundra Siva,
W/o. Siva,
Plot No.3, Vasundra Illam,
KGT Nagar, Kattupakkam,
Chennai 600 056.
3. Subadhra Subramanian
W/o. Subramanian,
No.3, Rajendra Nagar,
Near St. Jospeh's High School Road,
Patna, Bihar 800 016.
4. K. Manicka Lakshmi
W/o. Venkata Raman Krishna Murthy,
Plot No.183, M I G 2nd Lane,
UDA Colony, Rajiv Nagar,
Payakapuram, Vijayawada,
Andhra Pradesh 520 015.
5. K.Sasi Prabha
W/o. Sriram Karthi,
103, Eswaran Koil Street,
Muthur, Tiruppur 638 105.

..Petitioner(s)

Vs



No Respondent
Nil

OP No. 477 of 2



..Respondent(s)

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Prayer : Original Petition filed under sections 232 and 276 of Indian Succession Act XXXIX Of 1925 seeking Letters of Administrations with the Will annexed may be granted to them as Son, Daughters and Granddaughter/Beneficiaries under the Will of the said deceased having effect limited to the State of Tamil Nadu. Gross amount of Rs.99,49,000/- and Net Amount of Rs.99,49,000/- Suc.duty of Rs.25,000/- paid on 08.10.2025 by e-C/F D.No.38741/2025.

For Petitioner(s):

Mr.R.Sureshkumar
for M/s.K.M.Vijayan Associates

ORDER

This Original Petition has been filed under Sections 232 and 276 of the Indian Succession Act, 1925 read with Order XXV Rule 5 of the Original Side Rules, seeking grant of Letters of Administration with the Will annexed in respect of the Will of late R. Ranganathan, to have effect throughout the State of Tamil Nadu.

2. The case of the petitioners is that late R. Ranganathan, who was ordinarily residing at No.10, Vinayagam Street, West Mambalam, Chennai – 600 033, died on 16.12.2023. His wife Jayalakshmi had predeceased him. The first petitioner is his son, petitioners 2 to 4 are his daughters and the fifth

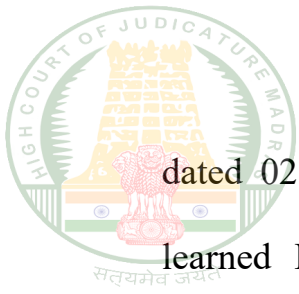


petitioner is the daughter of his predeceased daughter Santhanalakshmi. Though the husband of Santhanalakshmi, namely G. Krishna Swamy, is alive, the Will gives the share intended for Santhanalakshmi to her daughter, the fifth petitioner.

3. The petitioners state that the deceased executed his last Will and Testament on 27.10.2021, registered as Document No.33 of 2021 in Book III on the file of the Sub Registrar, Thiyagaraya Nagar. No executor was appointed under the Will. Therefore, the petitioners seek Letters of Administration with the Will annexed. The Will relates to the property bearing Door No.10, Vinayagam Street, West Mambalam, Chennai, and directs that, after the lifetime of the testator, the property shall be sold jointly and the sale proceeds shared among the petitioners.

4. It is further stated that the property is situated within the jurisdiction of this Court and that no application has been made before any District Court, delegate or other High Court for probate or for Letters of Administration in respect of the estate of the deceased.

5. Since there was no respondent in the Original Petition, general citation was ordered. Paper publications were effected in Tamil daily “Makkal Kural”



dated 02.12.2025 and English daily “Trinity Mirror” dated 09.12.2025. The learned Master recorded completion of service by publication, called for objections in open Court and recorded that no objection was received.

6. In support of the petition, the first petitioner R. Vijayabaskar was examined as P.W.1. and Exs.P1 to P18. Ex.P1 is the photocopy of sale deed dated 24.04.1968, compared with the original. Ex.P2 is the original registered Will. Ex.P3 is the computer generated death certificate of R. Ranganathan. Ex.P4 is the legal heirship certificate. Exs.P5 to P14 are the identity documents of the petitioners. Ex.P15 is the certificate under Section 63(4)(c) of the Bharatiya Sakshya Adhinyam, 2023, in respect of Exs.P3 and P4. Ex.P16 is the affidavit of assets. Exs.P17 and P18 are the paper publications.

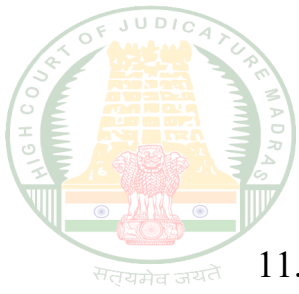
7. P.W.2 P. Siva, one of the attesting witnesses to the Will, was examined. He stated that R. Ranganathan executed Ex.P2 Will on 27.10.2021 in his presence and in the presence of the other attesting witness E. Stephen. He also stated that the testator signed the Will in the presence of both attesting witnesses and that he and E. Stephen signed the Will as attesting witnesses at the request of the testator. He further stated that the testator was in a sound state of mind and in good health at the time of execution. Ex.P19, the photocopy of Aadhaar card of P.W.2, was marked through him.



8. The evidence of P.W.2 satisfies the requirement of proof of execution and attestation of the Will. There is no caveat. No objection has been received after paper publication. The Will is also a registered document. Therefore, this Court is satisfied that the execution and genuineness of Ex.P2 Will have been proved for the purpose of grant of Letters of Administration with the Will annexed.

9. P.W.2 P. Siva is the husband of the second petitioner Vasundra Siva and he has stated that the testator was his father-in-law. However, the testator and the beneficiaries are Hindus. Under Section 57(c) of the Indian Succession Act, 1925, only the provisions of Part VI which are set out in Schedule III are applicable to Wills made by Hindus, Buddhists, Sikhs and Jainas after 01.01.1927. Section 67 of the Indian Succession Act, 1925 is not one of the provisions included in Schedule III. Therefore, Section 67 is not applicable to the present Hindu Will. Hence, the bequest in favour of the second petitioner cannot be held to be void merely because her husband was one of the attesting witnesses.

10. The petitioners have undertaken to duly administer the estate, file a full and true inventory and render accounts.



11. On considering the documentary and oral evidence , and the absence of caveat or objection, this Court is satisfied that the petitioners have made out a case for grant of Letters of Administration with the Will annexed.

12. Accordingly, this Original Petition is allowed. Letters of Administration with the Will annexed shall be issued to the petitioners in respect of the estate of late R. Ranganathan, having effect throughout the State of Tamil Nadu. The petitioners shall execute a security bond for a sum of Rs.25,000/- in favour of the Assistant Registrar, Original Side, High Court, Madras. The petitioners shall file a full and true inventory of the estate within six months from the date of grant of Letters of Administration and shall render true and proper accounts within one year from the date of grant. There shall be no order as to costs.

23-06-2026

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

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Witnesses examined on the side of the petitioners:

P.W.1 – R. Vijayabaskar

P.W.2 – P. Siva

Documents marked on the side of the petitioners:

Ex.P1 – Photocopy of sale deed dated 24.04.1968, compared with the original.

Ex.P2 – Original registered Will dated 26.10.2021/27.10.2021 executed by R. Ranganathan.

Ex.P3 – Computer generated death certificate of R. Ranganathan.

Ex.P4 – Computer generated legal heirship certificate of R. Ranganathan.

Exs.P5 to P14 – Identity documents of the petitioners.

Ex.P15 – Certificate under Section 63(4)(c) of the Bharatiya Sakshya Adhiniyam, 2023, for Exs.P3 and P4.

Ex.P16 – Affidavit of assets showing net value of estate as Rs.99,24,000/-.

Ex.P17 – Paper publication in Tamil daily “Makkal Kural” dated 02.12.2025.

Ex.P18 – Paper publication in English daily “Trinity Mirror” dated 09.12.2025.

Ex.P19 – Photocopy of Aadhaar card of P.W.2 P. Siva, compared with the original.



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