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OP No. 176 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-01-2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

OP No. 176 of 2024

1. P.Anandhi W/o. Prakash Babu,
D/o. M.Thejram,
2. T.Madhan Mohan s/o. M.Thejram,
3. U.Padmini W/o. Ujjal E Singh
D/o. M.Thejram,
4. T.Yuvaraj S/o. M.Thejram

.....Petitioner(s)

Vs

No Respondent

Nil

..Respondent(s)

PRAYER: The Original Petition has been filed under 232, 255 and 276 of the Indian Succession Act read with Order XXV Rule 5 of the Original Side Rules praying that letters of Administration with Schedule-1 of the annexed Will dated 26.11.1967 may be granted to the petitioners as beneficiaries under the will of deceased limited to the assets mentioned in the affidavit of assets and to have effect limited to the state of Tamil Nadu.



For Petitioner(s):

M/s R.K. Sekina Reshma

ORDER

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This petition has been filed under Section 232, 255 and 276 of the Indian Succession Act 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 issues 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 Ex.P.1 to Ex.P13 were marked.

3. According to the petitioners, the schedule mentioned property originally belonged to one Jagannath Prasad. The said Jagannath Prasad married one Mrs. Ponnammal and out of their wedlock, they had two daughters namely Seethabai and Krishnabai. Ever since the death of their parents, the said Seethabai and Krishnabai, being own sisters, had been resided in the said property. Further, Seethabai died on 01.03.1973 and Krishnabai died on 04.05.1989. The said Seethabai married one Motilal and they had no issues. The Krishnabai married one RamjiRao and they had three daughters namely



Vasantha Bai, Premabai and Indirabai. The said Krishnabai's eldest daughter Vasantha Bai married one M. Thejram, who is the father of the petitioners herein. The above said Seethabai and Krishnabai jointly executed their registered Last Will and Testament on 26.11.1967 bequeathing their joint properties to the three daughters of the said Krishnanai namely Vasanthabai, Premabai and Indirabai with only rights to enjoy the said property during their life time and without alienation power and after their lifetime, to their sons and daughters absolutely.

3.1. The said Vasanthabai was present along with her husband M. Thejram, at the time of execution of Will by the said Seethabai and Krishnabai. The said M. Thejram, was one of the attesting witnesses to the Will dated 26.11.1967. The said Vasanthabai, through her wedlock with M. Thejram, has two daughters and two sons, who are the petitioners herein. After the death of said Seethabai and Krishnabai, the daughters of Krishnabai namely Vasanthabai, Premabai and Indirabai were in absolute possession and enjoyment of each of their respective properties mentioned in Schedule 1, 2 and 3. The properties mentioned in Schedule 2 of the Will, which was in enjoyment and possession of Premabai, was sold by her as she had no issues. The property mentioned in Schedule 3 of the Will, which was in possession of Indirabai, was also sold. Thereafter, the said Premabai and Indirabai also died. There is no contract between the petitioners and the legal heirs of Indirabai. By virtue of the registered Joint Will dated 26.11.1967, the said Vasanthabai



became the owner of the said property in Schedule 1. The husband of the said Vasanthabai and the father of the petitioners died on 22.03.2002. The petitioners, being the legal heirs of Mrs. Vasanthabai, are the only beneficiaries in respect of the schedule mentioned property. The amount of assets which are likely to come into the hands of the petitioner is approximately Rs.73,33,725/-. Except the petitioners, there is no other next of kin to the deceased.

4. PW1 and PW2 were examined and Ex.P.1 to Ex.P.13 were marked. PW1, the 1st petitioner herein, has reiterated the petition averments and further stated that the deceased executed a Will dated 26.11.1967 in the presence of the attesting witnesses.

5. In this case, at the time of execution of the Will, the mother of the petitioners was also present and she is the wife of the first attesting witness, the father of the petitioners and the husband of PW2, Mr. M. Thejram. The father of the petitioners died on 22.03.2002. PW2, the mother of the petitioners, who is acquainted with the signature of her husband, the first attesting witness, has deposed that she is the wife of the 1st attesting witness and daughter of the 2nd Testatrix in Ex.P.2 Will, that the Ex.P.2 Will was executed on 26.11.1967, that the 1st Testatrix Seethabai is her maternal aunt and that she is also well acquainted with the signature of her husband, who has signed as a first attesting witness. She has identified the signature of the 1st attesting witness Mr.Thejram. A perusal of evidences of PW1 and PW2 and Ex.P.1 to Ex.P.13



revealed that the petitioners are the legal heirs of Mrs. Vasanthabai and no any objection has been raised by any other party to grant letter of administration to 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.

6. Therefore, this Original Petition is *allowed* and Letter of Administration, to the estates and credits of the deceased Mrs. Seethabai and Krishnabai.in favour of the petitioners, is granted.

7. 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 each, are also directed to execute a **security bond** for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** each 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/Non-speaking order

Neutral Citation: Yes/No

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**APPENDIX:****List of Petitioner side Witnesses:**

PW1 : Mrs. P. Anandhi
PW2 : Mrs. Vasantha Bai

List of Petitioner side Documents:

Exhibit No.	Date	Description of Documents.
Ex.P.1.	-	Computer generated Death Certificate of Mrs. Ponnammal.
Ex.P.2	26.11.1967	Original Will executed by Mrs. Seethabai and Mrs. Krishnabai.
Ex.P.3	-	Computer generated Death Certificate of Mrs. Seethabai.
Ex.P.4.	-	Computer generated Death Certificate of Mrs. Krishnabai.
Ex.P.5	-	Photocopy of the Death Certificate of Mr. M. Thejram.
Ex.P.6	-	Photocopy of the Legal Heirship Certificate of Mr. M. Thejram.
Ex.P.7	-	Photocopy of the Death Certificate of Mr. R. Sathiya Narayanan.
Ex.P.8	-	Computer generated Death Certificate of Mrs. S. Premabai.
Ex.P.9	-	Certificate under Section 65B of the Indian Evidence Act, 1872.
Ex.P.10	-	Affidavit of assets showing the net value of the estate as Rs.73,33,725/-.



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Ex.P.11	02.09.2024	Copy of the paper publication effected in one issue of Tamil daily “Makkal Kural”.
Ex.P.12	24.08.2024	Copy of the paper publication effected in one issue of English daily “Trinity Mirror”.
Ex.P.13	-	Photocopy of PW2’s Aadhar Card.

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