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OP No. 121 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-02-2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

OP No. 121 of 2025

Uma Hariharan W/o. Rajiv Eswaran,
No.A 409, Barcelona Block,
XS Real Catalunya City, Siruseri,
Chennai 603 103.

..Petitioner(s)

Vs

1.T.R. Arjun S/o. T.R.Ramier,
SF1, Block 2 Nellai Monor Appartments,
2nd Cross Street, Ram Nagar North Extension,
Velachery Chennai.

2.T.R.Sriram S/o. T.R.Ramier,
4, Kambar St,
Anna Nagar,
Tharamani, Chennai 600 113.

3.Rajeshwari Ganapathy Rajan S/o. T.R.Ramier,
SF1, Block 2 Nallai Manor Apartments,
2nd Cross Street, Ram Nagar North Extension,
Velachery Chennai.

4.T.R.Narayanaswamy S/o. T.R.Ramier,
No.31A Kambar Street,
Thandai Periyar Nagar,
Taramani, Chennai 600 113.

..Respondent(s)

PRAYER: The Original Petition has been filed under Section 232 and 276 of the Indian Succession Act read with Order XXV Rule 5 of Original Side Rules praying that the letters of Administration with the Will annexed may be granted



to her as the niece beneficiary under the Will of the Late Sarada having effect limited to the State of Tamil Nadu.

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For Petitioner(s): M/s. Sangeetha Rajkumar

For Respondent(s): Served – No appearance.

ORDER

This petition has been filed under Section 232 and 276 of the Indian Succession Act to grant Letters of Administration to the petitioner 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 petitioner 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.P14 were marked.

3. According to the petitioner, she is the niece of one Sarada, who died on 10.06.2021 leaving her properties mentioned in schedule. The Last Will and Testament executed by the said Sarada was on 25.07.2018 in the presence of two attesting witnesses K. Shankar Kumar and Balaramakrishnan, bequeathing her schedule mentioned properties and gold ornaments in the locker of the bank, cash, National Savings Certificate, Public Provident Fund, shares in various companies, cash in hand and with Canara Bank – Habibullah Road Branch, Chennai Savings Bank A/c No.1283101004121, State Bank of India –



Specialised PB Branch, Anna Nagar, Savings Bank A/c No.10000535601 and
Axis Bank – Virugambakkam Branch, Savings Bank A/c.

No.914010012698317. The said Will dated 25.07.2018 is an unregistered Will.

As per the said Will, no executor was appointed by the Testatrix. The two attesting witnesses died on 01.05.2024 and 26.04.2020 respectively. The Testatrix Sarada and her husband Mr. T.R. Dathathreyan had no issues. The respondents are the brothers and sister of the husband of the Testatrix. The husband of Testatrix Sarada predeceased her on 14.08.2014. The Will was found and came to the knowledge of the petitioner only on 15.10.2024. The amount of assets which are likely to come to the petitioner hands does not exceed and aggregate a sum of Rs.39 lakhs. There is no other next of kin or other interested persons to be impleaded in this petition.

4. In order to prove the case of the petitioner, PW1 and PW2 were examined and Ex.P.1 to Ex.P.14 were marked. PW1, the petitioner herein, has reiterated the petition averments and further stated that the deceased executed a Will dated 25.07.2008 in the presence of the attesting witnesses namely Bala Ramakrishnan and K. Shankar Kumar. The said attesting witnesses died and therefore, one Rajiv Eswaran, has been examined as PW2 and a third party affidavit has been filed to that effect.

5. The Will dated 25.07.2008 is a 18 years old unregistered Will, which was executed by the deceased Mrs. Sarada in the presence of two attesting witnesses. The said attesting witnesses are reported dead. The original Will has



been marked as Ex.P.1 by PW1.

6. PW2 has deposed that the Testatrix Mrs. Sarada is his wife's maternal aunt and the signatures found in Ex.P.1 are that of Mrs. Sarada and both the attesting witnesses are his wife's maternal uncles and the brothers of the Testatrix Mrs. Sarada. Further he has identified the signatures of attesting witnesses also. A perusal of evidences of PW1 and PW2 and Ex.P.1 to Ex.P.14 revealed that the Testatrix has executed a Will bequeathing her properties in favour of the petitioner and she is the only legal heir to succeed the estate of the Testatrix. Though the respondents served notice and paper publication was also effected, they have not appeared before this Court and no any objection has been raised by any other party to grant letter of administration to the petitioner. Therefore, the petitioner, through the evidences and documents, has amply proved the execution of Will. Therefore, the petitioner is entitled to the relief as prayed for in the petition.

7. Therefore, this Original Petition is *allowed* and Letter of Administration, to the estates and credits of the deceased Mrs. Sarada in favour of the petitioner, is granted.

8. Issue Letters of Administration in favour of the petitioner. The petitioner is directed to duly administer the properties and credits of the deceased more fully described in the schedule. The petitioner is 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 petitioner is 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. Uma Hariharan
PW2 : Mr. Rajiv Eswaran

List of Petitioner side Documents:

Exhibit No.	Date	Description of Documents.
Ex.P.1.	25.07.2008	Original Will and Testament executed by Mrs. Sarada.
Ex.P.2	21.03.2003	Photocopy of the Sale Deed executed in favour of Mr. T.R. Dathathreyan.
Ex.P.3	-	Computer generated Death Certificate of Mr. T.R. Dathathreyan.
Ex.P.4.	-	Photocopy of the front page of Axis Bank pass book bearing A/c. No.914010012698317 of Mrs. Sarada Dathathreyan.
Ex.P.5	-	Photocopy of the front page of State Bank of India Passbook bearing A/c.



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		No.10000535601 of Mrs. Saradha Dathathreyan.
Ex.P.6	-	Computer generated Death Certificate of Mrs. Saradha.
Ex.P.7	-	Computer generated Death Certificate of the 1 st attesting witness Mr. Bala Ramakrishnan.
Ex.P.8	-	Computer generated Death Certificate of the 2 nd attesting witness K. Shankar Kumar.
Ex.P.9	-	Photocopy of the front page of Canara Bank pass book bearing customer ID No.11531384 of Mr. T.R. Dathathreyan and Mrs. Saradha Dathathreyan.
Ex.P.10	-	Photocopy of PW1's Aadhar Card.
Ex.P.11	-	Certificate under Section 63(4)(c) of B.S.A.
Ex.P.12	-	Affidavit of assets showing net value of the estate as Rs.39,00,000/-.
Ex.P.13 series (2 nos.)	23.11.2025 and 30.11.2025	Copies of the paper publication effected in one issue in Tamil Daily "Makkal Kural" and one issue of English daily "Trinity Mirror".
Ex.P.14	-	Photocopy of PW2's Aadhar Card.

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