

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-12-2025

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THE HONOURABLE MR.JUSTICE P. DHANABAL

OP No. 218 of 2025

1. V.Hemavathi and 2 Others
W/o.Late N.R.Venkatavaradan,

2. V.Sundaram
S/o.Late N.R.Venkatavaradan, No.1 and
2 at No.22/3, Sreela Apartments,
Gilchrist Avenue, Harrington Road,
Chetpet, Chennai - 600 031.

3. Jayanthi Raghunath
D/o.Late N.R.Venkatavaradan,
No.7665, Quiet Meadow Ln, Frisco TX
75033, United States of America.

Petitioner(s)

Vs

1. T.K.Ramani and 6 Others
D/o.Late N.S.Ramanujachari, Door
No.55, Kalidasan Street, Revethipuram,
Urapakkam, Chengalpattu 603 210.

2.S.Chitra
W/o.Sridharan, D/o.Late
T.C.Choodamani, No.55B, Anaikatty
Street, Kanchipuram 631 501.

3.R.Sudha
W/o.Raveendran, D/o.Late
T.C.Choodamani, 33, G-4, Sathya
Jyothi Flats, Venkataraman Street,
Balaiah Garden, Madippakkam,



Chennai - 600 091.

4.Ashokkumar

S/o.Mr.Narayanan, S/o.Late

T.C.Choodamani, 3/26-F6,

Dhanalakshmi Apartment, South Park

Street, Venkatapuram, Ambattur,

Chennai - 600 053.

5.Anand T.C.

S/o.Mr.Narayanan, S/o.Late

T.C.Choodamani, No.55B, Anaikatty

Street, Kanchipuram - 631 501.

6.Janaki

W/o.Late R.Raghunathan, No.5/65, 61st

Street, A Type, SIDCO Nagar,

Villivakkam, Chennai - 600 049.

7.Selvakumar

S/o.Late R.Raghunathan, No.5/65, 61st

Street, A Type, SIDCO Nagar,

Villivakkam, Chennai - 600 049.

Respondent(s)

PRAYER: This Original Petition has been filed under 232 and 276 of the Indian Succession Act under Order XXV Rule 5 of Original Side Rules praying that the Letters of Administration with the Will annexed may be granted to petitioners' Daughter in law, grandchildren/legal heirs of beneficiary/legatees under the last Will and Testament of the deceased N.S.Ramanujachari dated 3-1-2007, having effect throughout the State of Tamilnadu.

For Petitioner(s): M/s.M.Suresh Kumar

For Respondent(s): M/s.D.Govindasamy
[for R1 to R5]
R6 and R7 – No appearance.



ORDER

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This petition has been filed under Section 232 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 throughout 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 to PW4 were examined and Ex.P.1 to Ex.P.14 were marked.

3. According to the petitioners, the testator Late Mr. N.S. Ramanujachari had two sons and two daughters namely Mr. N.R. Venkatavaradan, Mrs. T.C. Choodamani, Mrs. T.K. Ramani and Mr. R. Raghunathan. The elder son Mr. N.R. Venkatavaradan died on 13.03.2011 leaving behind the petitioners as his sole Class I legal heirs. The youngest son Mr. R. Raghunathan, died on 26.04.2023, leaving behind him the respondents 6 and 7 as his Class I legal heirs. The elder daughter Mrs. T.C. Choodamani died on 17.12.2023 leaving behind the respondents 2 to 5 as her Class I legal heirs. The husband of Mrs. T.C. Choodamani, predeceased her. Except the petitioners and the respondents



herein, there are no other next of kin or interested persons to be impleaded.

3.1. The deceased, during his life time, had possessed properties in Chennai and also in Kanchipuram. The two flats in Villivakkam, Chennai described in the schedule herein as Item Nos.1 and 2 are concerned, the deceased Mr. N.S. Ramanujachari had bequeathed the item no.1 to his elder son Mr. N.R. Venkatavaradan and the 2nd item was bequeathed in favour of his younger son, Mr. R. Raghunathan through Will dated 03.01.2007. The petitioners are in absolute possession and enjoyment of the property in the flat forming part of Item No.1 and the respondents 6 and 7 are in the absolute possession and enjoyment of the flat forming part of Item No.2. With regard to the properties in Kanchipuram, the daughters of the deceased have taken possession of the same, after the death of the deceased and have executed a Deed of partition among themselves without any dispute. Among the three properties, two properties are situated at Chennai, within the jurisdiction of this Court, for which, the petitioners are seeking letters of administration by filing this petition. The amount of assets which are likely to come to the petitioner's hand does not exceed in the aggregate a sum of Rs.1,80,00,000/-. The petitioner has impleaded all the next of kin or other persons as respondents herein. The respondents 1 to 5 have given their consent for this petition.

3.2. The Last Will and Testament executed by the deceased Mr. N.S. Ramanujachari is dated 03.01.2007. As per the said Will, there is no executor



appointed by the deceased. The Will was a duly registered one. Among the two attesting witnesses to the Will, the whereabouts of the 2nd attesting witness is not known to the petitioners.

4. The 1st petitioner herein, was examined as PW1. In order to identify the signature of the Testator in the Will, the petitioners have examined PW2 and PW3 and PW4 is one Mr. A. Rajendran, who has signed as 1st attesting witness in the Will executed by the Testator. PW1 has deposed by narrating the petition averments. PW2 has deposed that the Testator is the father-in-law of the 1st petitioner. PW3 has deposed that the Testator Mr N.S. Ramanujachari is his nephew. Both the witnesses PW2 and PW3 have identified the signature of the Testator in the Will. PW4 Mr. A. Rajendran, is one of the attesting witnesses in the Will. He has deposed that he knows the testator very well and they both were living in adjacent houses, the Testator had executed a Will dated 03.01.2007 and he was also present along with the testator at the time of execution of Will. He has signed as first attestor to Ex.P.3 Will in the presence of the testator and another attesting witness. He further stated that the Testator was in good health and mental condition, while executing 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 any of the respondents or any other party to grant letter of



administration to the petitioner. The respondents 1 to 5 have given their consent 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 Letter of Administration, to the estates and credits of the deceased Mr.N.S. Ramanujachariar in favour of the petitioner, is granted.

6. Issue Letters of Administration in favour of the petitioners. The petitioners each 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** each 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.

03.12.2025

Index : Yes/No
Speaking Order : Yes/No
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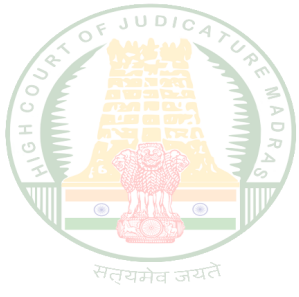
APPENDIX:

List of Petitioner side Witnesses:

PW1 : Mrs. V. Hemavathi
PW2 : Mr.T.V. Aramudhan

PW3
PW4: Mr. N.S. Jegannathan
: Mr. A. Rajendran**List of Petitioner side Documents:**

Exhibit No.	Date	Description of Documents.
Ex.P.1.	19.07.1979	Certified copy of the Sale Deed registered as Doc. No.3108 of 1979 Book-I pages 1 to 12 at SRO, Ambattur.
Ex.P.2	27.01.2006	Photocopy of the Death report from burial ground of N.S. Andal.
Ex.P.3	03.01.2007	Original Will of Mr. N.S. Ramanujachari registered as Doc. No.1 of 2007, Book III Pages 1 to 5 at SRO, Villivakkam.
Ex.P.4.	02.02.2023	Printout of the Death Certificate of Mr. N.S. Ramanujachari.
Ex.P.5	26.02.2010	Certified copy of the Legal Heirship Certificate of Mr. N.S. Ramanujachari.
Ex.P.6	31.03.2011	Death Certificate of Mr. N.R. Venkatavaradan.
Ex.P.7	02.06.2011	Legal Heirship Certificate of Mr. N.R. Venkatavaradan.
Ex.P.8.	05.05.2023	Printout of the Death Certificate of Mr. Raghunathan.
Ex.P.9	02.01.2024	Printout of the Death Certificate of Mr. T.C. Choodamani.
Ex.P.10	29.03.2024	Printout of the Legal Heirship Certificate of Mrs. T.C. Choodamani.
Ex.P.11	-	Certified copy of the partition Deed registered as Doc. No.7039 of 2013, Book-I pages 1 to 10 at Joint Registrar No.4, Kanchipuram.
Ex.P.12	06.07.2025	Copy of the paper publication in Tamil daily "Makkal Kural".
Ex.P.13	13.07.2025	Copy of the paper publication in English daily "Trinity Mirror".
Ex.P.14	11.03.2025	Affidavit of assets.



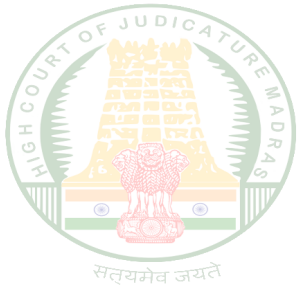
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