



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-01-2026

CORAM

THE HON'BLE DR.JUSTICE R.N.MANJULA

TOS No. 46 of 2024

Jashvin Kannan
S/o.Late G.Dilli Kumar,
No.24, V.O.C.Nagar, Anna Nagar East,
Chennai - 600 102.

..Plaintiff

Vs

V.Sumathi
W/o.Vedhagiri,
No.54/120, Dr.Alagappa Road,
Purasawakkam,
Chennai - 600 084.

..Defendant

PRAYER – The Original Petition is filed under Sections 232, 255 and 276 of the Indian Succession Act, XXXIX of 1925 for grant of Letters of Administration with the WILL annexed of the property to the petitioner as grandson/one of the beneficiary under the will of deceased, limited to the State of Tamil Nadu.

(Later, the O.P.No.549 of 2023 was converted as T.O.S.No.46 of 2024)

For Plaintiff:

M/s.S.Ramesh

For Defendant:

M/s.P.Surendar



JUDGMENT

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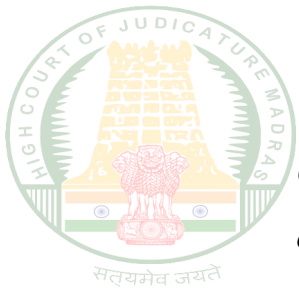
This Transfer Original Suit is filed for grant of Letters of Administration with the WILL annexed of the property to the plaintiff as grandson/one of the beneficiary under the WILL of deceased, limited to the State of Tamil Nadu.

2.This Court on 07.01.2026 passed the following order:

“2.The learned counsel for the plaintiff submitted that when the Testamentary Original Suit was pending, in a connected Civil Suit, the parties have entered into a compromise and the suit has been decreed in terms of the compromise. One of the terms of the compromise is that the defendant agrees to pass a decree for probating the Will filed in this suit. In such case, the defendant can file a consent affidavit before this Court to dispose the present suit.”

3.When the matter is taken up today, the learned counsel for the defendant filed a consent affidavit which reads as follows:-

“1.I state that the Plaintiff has filed an application for the grant of Letter of Administration of the alleged Will dated 03.02.2003, executed by my father deceased K.Govindaraj, before this Hon'ble Court on 30.04.2019 bearing SR.No.61750 of 2019, and it took time to get numbered as



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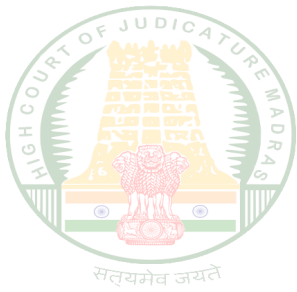


O.P.No.549 of 2023 and subsequently, I had raised my objection and filed a vakalat and hence the OP has been converted as TOS.No.46 of 2024 on the file of this Court, which is presently pending before this Lordship.

2.I further state that in the meanwhile, I had filed a suit in O.S.No.5345 of 2019 on the file of III Additional City Civil Court, Chennai, seeking for partition in respect of suit property. During the pendency of the suit, the matter was referred to mediation on 18.11.2024, in order to amicably resolve the dispute and avoid prolonged litigation and the plaintiff and his family, who are the party in the partition suit, agreed to pay a sum of Rs.55,00,000/- (Rupees Fifty-Five Lakhs only) to me within a period of 2 years from the date of execution of the settlement agreement in respect suit property alone (before the mediation), which is purely on my share amount agreed by the plaintiff and both the parties shall adhere as per the Settlement Agreement dated 01.07.2025. On the basis of this settlement agreement, the suit was decreed in terms of settlement agreement on 20.08.2025.

3.I further submit that the plaintiff and their legal heirs and my self and my husband, my three sons also signed in the settlement agreement before the mediation.”

4.Heard the learned counsel for the plaintiff as well as the defendant.



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TOS No. 46 of 2



DR.R.N.MANJULA, J.

GSA

5.Recording the consent affidavit filed consequent to the compromise entered into between the parties in the connected suit in O.S.No.5345 of 2019, which was decreed on 20.08.2025, this Testamentary Original Suit is decreed as prayed for.

21-01-2026

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

GSA

TOS No. 46 of 2024