

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:09.03.2017

CORAM

THE HON`BLE MR.JUSTICE T.RAVINDRAN

T.O.S.No.4 of 2015

C.Dharendran .. Plaintiff
Vs.
1.C.Vasudha
2.G.Neeradha
3.R.Dhanadha
4.C.Pramadha
5.J.Suleka
6.P.J.Ramamurthy .. Defendants

Testamentary Original Suit was filed under Sections 222 and 276 of the Indian Succession Act, XXV Rule -4 of the Original Side Rules to prove the Will in common form and that Probate thereof may be granted to have the effect limited to the State of Tamil Nadu.

For Plaintiff : Mr.P.Seshadri

सत्यमेव जयते
J U D G M E N T

The O.P.No.699 of 2011 filed by the petitioner for grant of probate in the matter of last Will and Testament of the deceased Suriya Moorthy dated 29.09.1989 has been converted as the suit in TOS.No.4 of 2015.

2.The defendants, despite service of notice, have not been contested the claim of the petitioner/plaintiff and

accordingly, set ex-parte.

3.In support of the plaintiff's case, the plaintiff himself examined as PW1 and Exs.P1 to P8 were marked. To establish the authenticity of the Will, Mr.D.Raghuraman, has been examined as PW2.

4.In support of the plaintiff's case, the evidence adduced by PWs.1 and 2 remain uncontroverted. Further, the claim of the plaintiff has also been established by PW1 & 2.

5.Considering the evidence of PW1 & 2 and Exs.P1 to P8, it is found that the plaintiff is entitled to seek probate of the Will in question, as prayed for. Accordingly, the plaintiff is entitled to seek probate of the Will as prayed for.

6.In the result, the suit is decreed as prayed for in favour of the plaintiff. Registry is directed to grant probate of the Will after completing necessary formalities.

Sd/.T.R.J

09.03.2017

//Certified to be a true copy//
Dated this the day of 2019.
R.s/03.09.2019

COURT OFFICER

From 25.09.2008 the Registry is issuing certified copies of the Order/Judgment Decree in this format.