

IN THE HIGH COURT OF JUDICATURE AT MADRAS
(TESTAMENTARY AND INTESTATE JURISDICTION)

TUESDAY, THE 30TH DAY OF JULY 2019

THE HON'BLE MR. JUSTICE R.SUBRAMANIAN

O.P.No. 778 of 2018

In the matter of Indian
Succession Act, XXXIX of
1925
and

In the matter of
the Last Will and
Testament of
M.Solayappan (deceased)

1. S.MEYAPPAN,
son of M.Solayappan, New No.55,
2nd Floor, Spring Dale, SI Apartments,
Hindi Prachara Sabha Street,
Thyagaraya Nagar, Chennai- 600 017 ..PETITIONER
-Vs-

1.MRS.RA.NAGAMMAI
Wife of Late S.Ramaswamy,
New No.55, 2nd Floor, Spring Dale,
SI Apartments, Hindi Prachara Sabha Street,
Thyagaraya Nagar, Chennai- 600 017

R-2 R.SOLAI (MINOR REP. BY HIS
mother and Natural Guardian, Mrs.R.A.Nagammai),
S/o.of Late S.Ramaswamy,
New No. 55,
2nd Floor, Spring Dale, SI Apartments,
Hindi Prachara Sabha Street, Thyagaraya Nagar,
Chennai- 600 017

R-3 MRS.VISALAKHI SOLAYAPPAN
Wife of M.Solayappan, New No.55, 2nd Floor,
Spring Dale, SI Apartments,
Hindi Prachara Sabha Street, Thyagaraya Nagar,
Chennai- 600 017 ..RESPONDENTS

(** R5 TO R7 IMPEADED AS ORDER IN A.NO.4939/2014 DATED
11.01.2016)

pleased to prove the Will in common form and that probate thereto limited to the State of Tamil Nadu.

This Original Petition coming on this day before this court for hearing the court made the following order:

The petitioner seeks Probate of the Will dated 15.09.2012 executed by M.Soyayappan who died on 02.12.2017.

2. The petitioner has been appointed as Executor under the said Will. The respondents 1 and 2 are the daughter-in-law and grand-son of the deceased M.Solaiyappan through his pre-deceased son S.Ramaswamy. The 3rd respondent is the wife of the deceased M.Solaiyappan. The respondents have filed their consent affidavits expressing their no objection for grant of Probate.

3. The petitioner has examined himself as PW1. He has produced the original Will as Ex.P1. The death certificate of M. Solaiyappan has been produced as Ex.P2. The legal heirship certificate has been produced as Ex.P3. The consent affidavits of the respondents have been marked as Ex.P11 to Ex.P13. The petitioner has also examined one V.Vittal as PW2, who figures as attesting witness to the said Will. He has spoken about the execution and attestation of the Will by himself and one K.Venugopal.

4. In the light of the evidence, I find that the petitioner has proved the will and is entitled to Probate in respect of the said Will.

5. In fine, this Original Petition is allowed granting Probate in respect of the Will of M.Soyayappan dated 15.09.2012.

Sd/.R.S.M.J

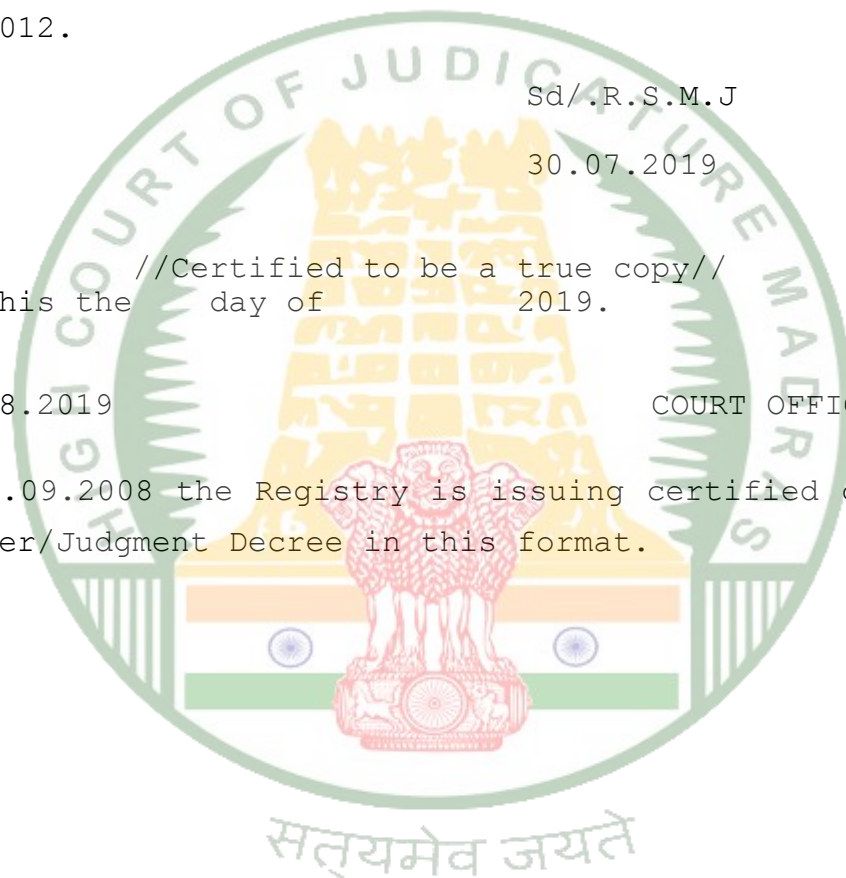
30.07.2019

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

SU/21.08.2019

COURT OFFICER

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



WEB COPY