

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

THURSDAY, THE 01ST DAY OF AUGUST 2019

THE HON'BLE MR. JUSTICE R.SUBRAMANIAN

O.P.No.927 of 2018

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

In the matter of Last Will and
Testament of Shri
A.Vijayaraghavan - Deceased.

MR.K.P.ATMARAM,
S/o.Late C.K.Govind,
B-I-305, Purvuk Windermere,
Bhavani Amman Koil Street,
Chennai-600100.

..Petitioner

-Vs-

1. SHRI RAMAKRISHNA MATH
31, R.K. Math Road, Mylapore,
Chennai-600004.

2. BALA VIHAR
Home for mentally retreated boys and girls,
No.10, Halls Road, Kilpauk, Chennai-600010.

3. ARANGIL BHUVANESHWARI KSHTRAM / TEMPLE
Elathur, Calicut District, Kerala

4. MR.AJIT SHANKAR
s/o.Late Dr.Kesavan,
Shanti, Chevayur, Calicut 673017.

5. DR.RAJIV BALAKRISHNAN
S/o.A.Balakrishnan,
Sector, 15-2, C-504, Rail Vihar,
Gurgaon, Haryana-122001.

..Respondents

Original Petition praying that this Hon'ble Court be
pleased that he may be allowed to prove the Will in common
form and that Probate thereof to have effect limited to the
State of Tamilnadu may be granted to him.

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

The petitioner seeks issuance of Probate for the last Will and Testament of late Arangil Vijaya Raghavan who died on 05.04.2018. The Will is dated 04.10.2017.

2.The respondents are the legatees under the Will. Even in the Will, the Testator has clearly stated that the two elder brothers have passed away and he has no close blood relatives surviving him. His wife Sita Vijaya Raghavan has pre-deceased him. The petitioner has examined himself as PW1. The death certificate of the Testator was marked as Ex.P1. The original Will was marked as Ex.P2. The death certificate of the wife of the Testator was marked as Ex.P3. The respondents 4 and 5 have executed consent affidavits signifying their consent for grant of Probate in favour of the petitioner and the same have been marked as Exs.P11 and P12. The respondents 1 to 3 being legatees have not come forward to oppose the grant.

3. The petitioner has also examined one Ajit Krishnan as PW.2. He figures as attesting witness of the Will. He has deposed about the execution of the Will by the Testator and its attestation by himself and one Soma Mammen at the request of the Testator.

4. In view of the above evidence, I find that the petitioner has proved the Will in common form and is entitled to Probate of the Will.

5. In fine, this Original Petition is allowed granting Probate in respect of the Will dated 04.10.2017.

Sd/-R.S.M.J.

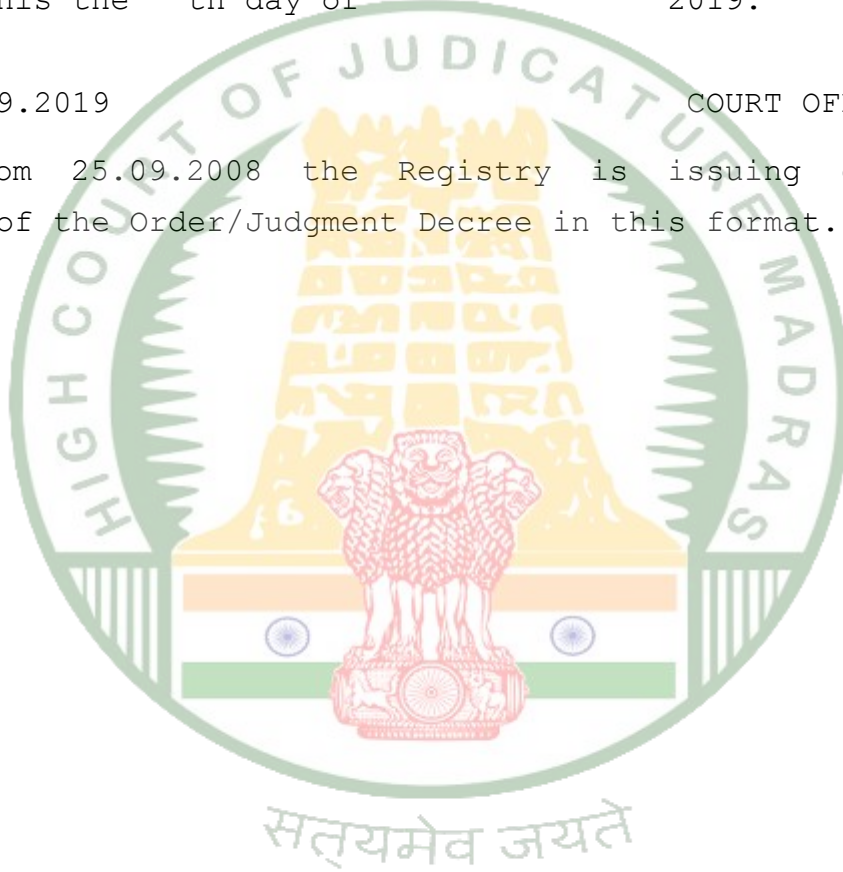
01.08.2019

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

Su/12.09.2019

COURT OFFICER

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



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