O.P.No.844 of 2018

R.SUBRAMANIAN, J.,

The petitioner seeks Probate of the last Will and Testament executed by late Smt.Prema Rai dated 13.11.2013. The testatrix Prema Rai died on 29.08.2015. The petitioner has been appointed as Executor under the Will.

2. The petitioner and the respondents 1 and 2 are the children of the testatrix and the respondents 3 to 5 are the beneficiaries under the Will.

3. The petitioner has been examined as PW1. He has produced the death certificate of the deceased Prema Rai as Ex.P1 and the Legal Heirship Certificate as Ex.P2. The original Will dated 13.11.2013 has been marked as Ex.P3. From the Legal Heirship Certificate marked as Ex.P2, it is seen that the petitioner and the respondents 1 and 2 are the legal heirs of the deceased Prema Rai. The petitioner has also examined Dr.Avinash Rajkumar one of the attesting witness to the Will dated 13.11.2013 as PW2. PW2 has spoken about the execution of the Will by the testatrix and its attestation by himself and Mr.B.Vaidyanathan, the second attesting witness.

4. In view of the above evidence, I find that the petitioner has proved the Will and is entitled to grant of Probate for the Will dated 13.11.2013.

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R.SUBRAMANIAN.J.,

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5. In the result, this Original Petition is allowed granting Probate of the Will dated 13.11.2013 in favour of the petitioner.

27.03.2019

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