

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

TUESDAY, THE 02TH DAY OF APRIL 2019

THE HON'BLE MR. JUSTICE R.SUBRAMANIAN

O.P. No.1086 of 2018

In the matter of Indian
Succession Act XXXIX of 1925
and
In the matter of the Will of
K.Narayana Das (deceased)

Shri.Vasudeva Das Kuthethur
S/o Late K.Narayana Das
42, Gangadheeswarar Koil Street,
Purasawalkkam,
Chennai - 600 084.

... Petitioner

-Versus-

1. Kuthethur Poornima
W/o Late K.Narayana Das
42, Gangadheeswarar Koil Street,
Purasawalkkam,
Chennai-600 084.

2. Medini Kalmady Rao
D/o Late K.Narayana Das
9/2, Flat No.303,
3rd Floor, Dimension Apartments,
West Park Road, Kumara Park East,
Bangalore-560 001.

3. Bhakta Govinda Kuthethur Das
S/o Late K.Narayana Das
No.37, Fivenhallway, Hoo St Weburgh
Kent ME 39GF, United Kingdom,

4. Pavanee Kuthethur
D/o Late K.Narayana Das
31, Manely Boulevard,
snodland, Kent ME 65SD
united Kingdom.

... Respondents

Original Petition praying that this Hon'ble Court be
pleased :

a) that he may be allowed to prove the will dated

b) Probate of the will dated 30th June 2018 executed by the said K.Narayanadas may be granted to the Petitioner to have effect throughout the whole of Union of India.

The petitioner seeks probate of the Will dated 30.06.2018 executed by K.Narayanadas who died on 06.08.2018.

3.The petitioner has been examined as P.W.1. He has produced the death certificate of the deceased K.Narayanadas as Ex.P1 and his legal heirship certificate as Ex.P2. The original unregistered Will has been marked as Ex.P3. The consent affidavits of the respondents 1 to 4 have been marked as Ex.P5 to Ex.P8. One S.Balasubramanian who was attesting witness to the Will has been examined as P.W.2 and he had spoken about the execution of the Will by the testator and its attestation by himself and one Suman Voora, who is the other attesting witness to the Will.

4. In view of the above evidence, I conclude that the petitioner has proved the execution of the Will by the testator and the petitioner is entitled for grant of probate. Hence, this Original Petition is allowed granting probate of the Will dated 30.06.2018 executed by K.Narayanadas.

//Certified to be a true copy//

Dated this the th day of 2019.

GJM/11.4.2019

COURT OFFICER