



O.P.No.228 of 2022

C.V.KARTHIKEYAN, J.

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The executors/ beneficiaries/ daughters of Mrs.M.V.Valli Murugappan who died on 21.01.2022 have filed the present petition, taking advantage of Section 222 and 276 of the Indian Succession Act, seeking grant of probate with respect to the Will dated 17.12.2015 and the Codicil to the said Will dated 10.04.2018, executed by Mrs.M.V.Valli Murugappan.

2. It is stated in the petition that the husband of Mrs.M.V.Valli Murugappan, died on 19.09.2017. In the Will, Mr.M.V.Murugappan had been appointed as executor. Consequent to his death, a Codicil was executed by the testatrix and in the Codicil, she had appointed the two petitioners herein as the executors of both the Will and the Codicil.

3. After completing due process, the petitioners were invited to tender evidence.

4. The 1st petitioner examined herself as P.W.1. The original unregistered Will dated 17.12.2015 was marked as Ex.P1 and the original unregistered Codicil dated 10.04.2018 was marked as Ex.P2. The Death Certificate of Mrs.M.V.Valli Murugappan was marked as Ex.P3 and the Death Certificate of M.V.Valli Murugappan was marked as Ex.P5. The Legal Heirship Certificate of Mrs.M.V.Valli Murugappan was marked as Ex.P4. The affidavit of Assets showing the net value of the estate was marked as Ex.P94.



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4. The petitioner then examined as P.W.3, Mr.M.Karunakaran and as P.W.4, Mr.S.Subramaniam who were the attesting witness to Ex.P1, Will. The witnesses identified the Will and also stated that they signed the Will as attestors and specifically stated that Mrs.M.V.Valli Murugappan was in sound disposing state of mind when she executed the Will, Ex.P1.

5. The petitioner then examined as P.W.5, Mr.Abishek Jenasenan, who was one of the attesting witnesses of the Codicil which was marked as Ex.P2. He also identified the said Codicil and also stated that when the Codicil was executed, Mrs.M.V.Valli Murugappan was in sound disposing state of mind.

6. The 2nd petitioner was examined as P.W.2. The 2nd petitioner who also affirmed the evidence of P.W.1/1st petitioner.

7. In view of the evidence presented, probate is granted for the Will dated 17.12.2015 and the Codicil dated 10.04.2018 in favour of the two petitioners.

27.10.2022

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