



O.P. No. 217 of 2022

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C.V.KARTHIKEYAN, J.

The petition is filed seeking grant of probate of Will dated 22.02.2013, which is a registered Will and by which execution, an earlier Will dated 12.07.2012 which was also registered had been cancelled by the testator R.V. Sundareswaran, who died on 16.02.2021.

2. The petitioner is the Executor under the Will and the respondents are the beneficiaries under the Will. They had given consent affidavits.

3. After following the due procedure, the petitioner was invited to tender evidence. He examined himself as P.W.1. The original registered Will dated 22.02.2013, was marked as Ex. P.1 and the copy of the earlier Will dated 12.07.2012 was marked as Ex. P.2. Since the contents are not disputed, the said documents may be taken on record. The death certificate of R.V. Sundareswaran, was marked as Ex. P.3. The details regarding the fixed deposit and cash certificates issued by Karnataka Bank Limited, were marked as Exs. P.4 – P.8. The Consent affidavits of the respondents were marked as Exs. P.10 - P.18. The petitioner also

examined Mr. K. Narasimhan, as P.W.2., who is the nephew of the testator,



R.V. Sundareswaran, and who identified the Will and stated that he had signed along with the testator and the other attesting witness, Sita. He has specifically stated that he and the other attesting witness and the testator signed the Will at the same time in the presence of each other. He also stated that the testator was in a sound and disposing state of mind at the time of execution of the Will. He also filed an affidavit which was marked as Ex. P.19.

4. In view of the evidence tendered, the petition stands allowed.
Probate to be granted.

23.11.2022

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(mrn)

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