



O.P.No.17 of 2013

WEB COPY

C.V.KARTHIKEYAN, J.

This original petition has been filed taking advantage of Sections 222 and 276 of the Indian Succession Act, 1925 seeking Probate of Will dated 12.09.1996 executed by Poongavanammal, who died on 03.04.2012. The petitioner is the named executor under the Will.

2.Originally, there was no respondents, but thereafter a string of respondents were impleaded as Class II legal heirs. I am informed that notice had been served on all of them, but they had taken a conscious decision not to appear before this Court.

3.The petitioner was thereafter, invited to tender evidence. Accordingly, the petitioner examined herself as PW-1. The Death Certificate of her paternal aunt Poongavanammal was marked as Ex.P1. The original Will was marked as Ex.P2. The Will has been registered as Doc.No.40 of 1996 before the Sub-Registrar office, Sowcarpet on 12.09.1996. The Death Certificate of K.A.Loganathan husband of Poongavanammal was marked as Ex.P3. The attesting witnesses had died and a memo to that effect had

**C.V.KARTHIKEYAN,J.**

WEB COPY

smv

been filed seeking permission to examine as third parties, M.Shanmugasundaram as PW-2, who was neighbour of the Testatrix and also R.Saravanan as PW-3 who was a brother of the petitioner herein. Both of them claimed that they were familiar with the signatures and handwritings of the attesting witnesses and also of the testatrix. They also identified the signatures in the Will.

4.In view of the evidence adduced, this Original Petition stands allowed. The probate of the Will of Poongavanammal is granted as prayed for.

01.12.2022

smv

O.P.No.17 of 2013