

**O.P.No.75 of 2022****C.V.KARTHIKEYAN, J.,**

This Petition has been filed taking advantage of Sections 222 & 276 of the Indian Succession Act 1925 seeking probate of a Will dated 26.12.2016 and registered as Document No. 67 of 2016 before the Sub Registrar Office, Chennai South, Joint-I on 26.12.2016 executed by A.Vaidyanathan, who died on 14.11.2019.

2. The petitioner is the executor under the Will. The first to ninth respondents are the beneficiaries under the Will. They are Trust. Notice had been directed to the respondents and notice had been served and the learned counsel had entered appearance.

3. After completing the formalities, this Court had directed the petitioner to tender evidence and accordingly, Swami Dharmishthananda was examined as PW-1. He marked the original Will as Ex.P-1. The death certificate of A.Vaidhyathan was marked as Ex.P-2. The affidavit of assets was marked as Ex.P-41.



WEB COPY



C.V.KARTHIKEYAN, J.,

vsg

4. The petitioner then examined Mr.K.Ramakrishnan as PW-2. He and the other attesting witness Ashok Maharaj were devotees of Sri Ramakrishna Math and they had attested the Will. He also stated that the Will was executed in his presence and in the presence of the other witness Mr.Ashok Maharaj. He specifically stated that the deceased was in a sound and disposing state of mind at the time of execution of the Will. His affidavit was marked as Ex.P-42.

5. In view of evidence produced, the probate of the Will executed by A.Vaidyanathan is granted and this Original Petition is allowed as prayed for.

Vsg

08.11.2022

O.P.No.75 of 2022