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**KRISHNAN RAMASAMY.J,**

This petition has been filed under Sections 222 and 276 of the Indian Succession Act, 1925 read with Order XXV, Rule 4 of O.S. Rules, for the grant of Probate in respect of the last Will and Testament of the deceased Mr.B.Ramakrishnan.

2. In the petition, it is stated by the petitioner that the deceased Mr.B.Ramakrishnan is the brother of the petitioner, who died on 12.10.2020 at Rajiv Gandhi Govt. General Hospital, Chennai- 6000 003, who permanently resided at No.7/2, Sri Balaji Flats, Solomon Street, Kaveri Lane, Tambram East, Kanchepuram- 600 059. During his life time, the said deceased executed a Will dated 09.05.2019 at his residence No. 70/166, First Floor, Lake View Road, West Mambalam, Chennai- 600 033, in the presence of two witnesses. The Testator has appointed the petitioner, who is one of his brother, as the Sole executor to the Will dated 09.05.2019. The respondents 1, 4 & 5 are the sisters of the deceased and the respondents 2, 3 and 6



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are the brothers of the deceased Mr.B.Ramakrishnan, who are the Class II legal heirs of the Testator. The parents and wife of the deceased, predeceased him.

3. It is stated that the petitioner has impleaded all the Class II legal heirs as party/respondents. The respondents have given their consent affidavits, expressing their no objection for probate of the Will. The total amount of the assets will be for a sum of Rs.33,00,872.19/- after deductions.

4. It is also stated that the petitioner has undertaken to duly administer the property and credits of the deceased Mr.B.Ramakrishnan, any way concerning his Will by paying first his debts and the legacies therein bequeathed and so far as the assets will extend and to make a full and true inventory thereof and exhibit the same in this Court within six months from the grant of Probate with the Will annexed to the petition and also to render to this Hon'ble Court a true and proper account of the said properties and credits within one year from the said date.



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5. It is further stated that so far no application has been filed in any other Court for the Probate of the Will of the said deceased or Letters of Administration with or without the Will annexed to the property and credits of the deceased Mr.B.Ramakrishnan.

6. In order to prove the Will, the petitioner herein is examined as PW.1 and marked Exhibits P1 to P11. Ex.P1 is the original Will dated 09.05.2019 executed by B.Ramakrishnan. Ex.P2 is the computer generated death certificate of B.Ramakrishnan. Ex.P3 is the computer generated death certificate of R.Revathy. Ex.P4 is the photocopy of the Legal Heirship certificate in respect of Paruvatham. Ex.P5 is the consent affidavit of given by the 1<sup>st</sup> Respondent. Ex.P6 is the consent affidavit of given by the 2<sup>st</sup> Respondent. Ex.P7 is the consent affidavit of given by the 3<sup>rd</sup> Respondent. Ex.P8 is the consent affidavit of given by the 4<sup>th</sup> Respondent. Ex.P9 is the consent affidavit given by the 5<sup>th</sup> Respondent . Ex.P10 is the consent affidavit given by the 6<sup>th</sup> Respondent. Ex.P11 is the affidavit of assets showing the net value of the estate as Rs.33,00,872.19/-.



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7. One of the attestors of the Will dated 09.05.2019, viz., Mr.M.Bala Krishnan is examined as P.W.2 and marked Ex.P12, which is his affidavit. In his evidence, he has stated that he was present along with C. Bhavani at the time of execution of the Will and at his request, they signed in the Ex.P1 Will along with C.Bhavani, as attestors and he also stated that he was well acquainted with the signature of the said deceased since the Testator is his brother -in-law. The Testator executed his last Will and Testament in his presence and in the presence of one Ms.C. Bhavani. At the time of executing the Will, the Testator was in a sound and disposing state of mind, memory understanding and to the best of my belief made and published and the same of his free will and pleasure.

8. In the light of the averments made in the petition and the deposition of P.Ws.1, 2 supported by documents Exs.P1 to P12, it is clear that the petitioner has proved the Will and there is no contra evidence. Hence, I am satisfied that the petitioner is entitled to the relief sought for.



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89 Accordingly, the Original Petition is ordered. Grant probate of the Will  
in respect of the petitioner.

14.07.2022

*Dn*



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