



A.No.3013 of 2022 in O.P.DR.No.45776 of 2022

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Krishnan Ramasamy, J.,

This Application has been filed seeking to accept the third party affidavit to identify the signature of testator in lieu of identifying the signature of attesting witnesses.

2. It is stated by the applicants that the last Will and Testament dated 23.02.1995 was executed by the deceased T.Krishnan alias T.Krishnaswami Mudaliar in the presence of two attesting witnesses. However, the whereabouts of both the attesting witnesses are not known. They would further submit that one Mr.V.M. Sridhar, who is close relative i.e. paternal uncle of the testator, has given affidavit that he can identify the signature of the testator of the Will dated 23.02.1995. According to him, he can identify the signature of the testator. Therefore, the applicants would submit that he is the appropriate person to identify the signature of the testator and hence, prays for the acceptance of the said V.M. Sridhar's affidavit to identify the signature of the testator in the Will.

3. This Court is satisfied with the reasons stated in the affidavit filed in support of this Application. Accordingly, this Application stands allowed as prayed for.

27.07.2022

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