



O.P.No.210 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.09.2022

CORAM

THE HON'BLE MR. JUSTICE C.V.KARTHIKEYAN

Original Petition No.210 of 2022

Vellai Perumal

... Petitioner

Versus

1.K.Perumal

2.R.Saraswathi @ Petchiammal

3.P.Balakrishnan @ Gopi

4.R.Yogalakshmi @ Kavitha

5.S.Jaya

6.S.Vasanth @ Iyyakutti

7.M.Anandhi @ Anandajyothi

... Respondents

Prayer: The Original Petition filed under Sections 222 and 276 of the Indian Succession Act XXXIX of 1925 and under Order XXV Rule 4 of the Original Side Rules, praying that the petitioner may be allowed to prove the Will in common form and that probate thereof to have effect throughout the State of Tamil Nadu may be granted to him.

For Petitioner : Mr.R.Rajesh



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ORDER

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The Original Petition has been filed seeking probate of the Will of P.Krishnan Achari, who died on 30.09.2006. He had executed a Will dated 12.08.2005. The petitioner is the Executor of the said Will. The respondents are the legal heirs of the deceased P.Krishnan Achari. They had filed their consent affidavits.

2. The petitioner was examined as P.W.1. The original Will was marked as Ex.P1. The Death Certificate of P.Krishnan Achari was marked as Ex.P2. The Legal Heirship Certificate was marked as Ex.P3. The Death Certificates of the two of the legal heirship were marked as Exs.P5 and P6. The consent affidavits were marked as Exs.P9 –P15.

3. To prove the Will, R.Santhanan was examined as P.W.2. He identified Ex.P1, Will. P.W.2 stated that he has signed as second attestor. The first attestor is A.Sunaba. P.W.2 also stated that the Will was executed, at a time, when P.Krishnan Achari was in sound disputing state of mind. His affidavit was marked as Ex.P16.



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4. In view of the evidence recorded, the Original Petition stands allowed. Probate is granted. No costs.

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Index:Yes/No
Speaking Order : Yes/No
ssi



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C.V.KARTHIKEYAN,J.,

ssi

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