



O.P.No.164 of 2022

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C.V.KARTHIKEYAN, J.

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The learned counsel for the petitioners and the learned counsel for the respondent are not present. However, perused the records.

2. The Original Petition had been filed under Sections 222 and 276 of the Indian Succession Act, 1925 seeking probate of a Will dated 27.11.2014 executed by D.Sudhakara Reddy, the father of the 1st petitioner, who died on 13.07.2020.

3. The two petitioners are the named executors under the Will. The respondent is the grandson of the deceased through his son D.Sunder Nischal. D.Sunder Nischal had died on 25.06.2001.

4. It is stated that his wife Babita Reddy had remarried on 17.11.2003. The wife of the deceased D.Usha Reddy had died on 16.04.2016. It is stated that all the legal heirs had been impleaded as respondents.

5. After following due procedure, the petitioners were invited to tender evidence.

6. The 2nd petitioner examined himself as P.W.1. The original Will dated 27.11.2014 was marked as Ex.P2. The Legal Heirship Certificate of the son of the deceased, by name D.Sunder Nischal was marked as Ex.P3



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and his Death Certificate was marked as Ex.P4. The Death Certificate of

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Dodla Sudhakara Reddy was marked as Ex.P6 and his Legal Heirship Certificate was marked as Ex.P7. The Death Certificate of Usha Reddy Dodla was marked as Ex.P5.

7. The petitioner thereafter examined Uttam Joseph Cheriyan as P.W.2. He was one of the attesting witnesses along with J.Krithika. He stated that the Will was signed in their presence and at the time of execution of a Will, D.Sudhakara Reddy was in a sound and disposing state of mind. He identified the signatures found in the Will, Ex.P2. His affidavit was marked as Ex.P11.

8. The respondent had made an endorsement that they have no cross examination and oral evidence was not adduced.

9. In view of the evidence presented, the Original Petitions stands allowed. Probate is granted.

25.11.2022

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