



O.P.No.165 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 filed under Sections 222 and 276 of the Indian Succession Act, 1925 seeking probate of a Will dated 27.11.2014 executed by Mrs.D.Usha Reddy, the mother of the 1st petitioner, who died on 16.04.2016.

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 husband of the deceased D.Sudhakara Reddy had died on 13.07.2020. 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 Death Certificate of the son of the deceased, D.Sunder Nischal and the Legal Heirship Certificate were



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O.P.No.165 of 2022

marked as Exs.P4 and P5. The Death Certificate of the mother of the 1st

C.V.KARTHIKEYAN, J.

ssi

petitioner Usha Reddy Dodla was marked as Ex.P6. The Death Certificate of the father of the 1st petitioner Dodla Sudhakara Reddy and the Legal Heirship Certificate were marked as Exs.P7 and P10. The consent affidavit was marked as Ex.P9.

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.Usha 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

ssi

O.P.No.165 of 2022