



O.P. No. 1062 of 2019

O.P. No. 1062 of 2019

WEB COPY

C.V.KARTHIKEYAN, J.

This Original Petition has been filed seeking probate of a Will dated 27.11.2006 said to have been executed by C.N.Sivaraman, father of the petitioner. C.N.Sivaraman died on 22.06.2009. The petitioner has stated that his son is the 1st respondent, his daughters are the 2nd and 3rd respondents and the 4th respondent is his wife.

2. Since the respondents did not raise any objections, the parties were directed to adduce evidence. The petitioner examined himself as PW-1 and the death certificate of C.N.Sivaraman was marked as Ex.P3. The original Will was marked as Ex.P2. The legal heirship certificate of C.N.Sivaraman was marked as Ex.P4.

3. To further substantiate the Will, N.Uma and G.Vasudevan were examined as PW-2 and PW-3. They were the attesting witnesses of Ex.P2 and both of them were identified the Will /Ex.P2 and identified their signatures and also identified the signature of C.N.Sivaraman /the Testator. They also stated that C.N.Sivaraman was in a sound and disposing state of mind, when Ex.P2



O.P. No. 1062 of 2019

was executed. Their affidavits were marked as Ex.P6 and Ex.P7. The petitioner also examined T.S. Janaki as RW-1, the 2nd respondent, who also filed her proof affidavit, and her consent affidavit was marked as Ex. R1. The Petitioner also examined T.S.Lakshmi as RW-2, who filed consent affidavit was marked as Ex.R2.

4. In view of the fact that as required under Section 68 of the Indian Evidence Act one of the witnesses was examined, this Original Petition is allowed. The probate of the Will is granted as prayed.

21.09.2022

Maya



WEB COPY



O.P. No. 1062 of 2019

C.V.KARTHIKEYAN, J.

Maya

O.P. No. 1062 of 2019

Dated : 21.09.2022