



O.P.No.452 of 2019

O.P.No.452 of 2019

WEB CO **C.V.KARTHIKEYAN, J.**

The Original Petition filed under Sections 222 and 276 of the Indian Succession Act, 1925 seeking probate of a Will dated 06.07.2010 executed by M.Natrajamoorthy, the brother of the petitioner, who died on 26.01.2011.

2. M.Natrajamoorthy had married Hemavathy and the 3rd respondent N.Priya was born to them. Thereafter M.Natrajamoorthy had obtained divorce from Hemavathy. He then married the 2nd respondent G.Rajam on 21.01.1991. No children have born to G.Rajam.

3. Notices were directed to the 2nd and 3rd respondents but they did not respond the notice.

4. Finally, paper publication had been effected and it had been endorsed by the learned Master that service had been completed.

5. The 2nd and 3rd respondents had not appeared before the Court. They are set exparte.

6. The petitioner was directed to tender evidence.



O.P.No.452 of 2019

C.V.KARTHIKEYAN, J.

ssi

7. The petitioner examined herself as P.W.1. The original Will dated 06.07.2010 was marked as Ex.P1. The Death Certificate of M.Natrajamoorthy was marked as Ex.P2. The Death Certificate of the mother of M.Natrajamoorthy was marked as Ex.P3.

8. Thereafter, the petitioner also examined M.Pannerselvam as P.W.2. He was the attesting witness along with Munusamy. He identified the will and stated that all three of them have signed in the presence of each other. He specifically stated that M.Natrajamoorthy was in a sound and disposing state of mind at the time of execution of the Will, Ex.P1.

9. The 1st respondent is represented by the learned counsel and stated that the he had no objection.

10. In view of the evidence presented, the Original Petition stands allowed. Probate is granted.

21.11.2022

ssi

O.P.No.452 of 2019