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O.P.No.168 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.06.2023

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

O.P.No.168 of 2022

Sneha Rangarajan

... Petitioner

Vs.

Sabitha Rangarajan

... Respondent

Prayer: Original Petition filed under Section 222 and 276 of Indian Succession Act, 1925 r/w Order XXV Rule 4 of Original Side Rules, petitioner may be allowed to prove the Will in common form and that probate thereof.

For Petitioner : Mr. K.Moorthy

For Respondent : Ms. Pavithra Sundararajan

ORDER

This Original Petition has been filed for issuance of probate for the last Will and testament dated 19.11.2020 executed by Late R. Rangarajan, who died on 25.12.2020. The petitioner is the daughter and the respondent is the wife of the testator. The petitioner is appointed as the executrix under the Will. The respondent is the beneficiary under the Will. The respondent has filed her consent affidavit



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expressing her consent for grant of probate.

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2. The petitioner has been examined as P.W.1. She has produced the death certificate of the testator R.Rangarajan, as Ex.P2. The Original Will and Testament dated 19.11.2020, has been marked as Ex.P1. The legal heirship certificate of the testator is produced as Ex.P3. A perusal of Ex.P3 shows that the petitioner and the respondent are the only Class-I legal heir of the testator. The consent affidavit of the respondent has been marked as Ex.P7.

3. One Mrs.V.Jayalakshmi, who is the second attesting witness has been examined as P.W.2. She has spoken about the execution of the Will by the testator and its attestation by herself and the first attesting witness Ramani Ramaswamy.

4. In view of the said evidence, the execution of the Will stands proved. Hence, the Original Petition is allowed by granting probate for the last will and testament dated 19.11.2020.

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Index :Yes/No

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Petitioner's witness:

P.W.1 – Mrs.Sneha Rangarajan

P.W.2 – Mrs.V.Jayalakshmi

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Original Will dated 19.11.2020 executed by Mr.R.Rangarajan
Ex.P2	The computer generated death certificate of Mr.R.Rangarajan
Ex.P3	The computer generated legal heir certificate of Mr.R.Rangarajan
Ex.P4	Photocopy of Aadhar Card of the respondent
Ex.P5	(series 7) online printout of DEMAT Account details of AXIX Bank and SBI in respect of shares and securities held by Mr.R.Rangarajan
Ex.P6	Photocopy of the sale deed dated 04.12.1998 in favour of Mr.R.Rangarajan
Ex.P7	Consent affidavit of the respondent
Ex.P8	Affidavit of the assets showing the net value of the Estate as Rs.2,67,85,324/-
Ex.P9	Proof affidavit of the second attesting witness

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