



WEB COPY



O.P.No.472 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **21.04.2023**

CORAM

THE HONOURABLE **MR.JUSTICE K.KUMARESH BABU**
O.P.No.472 of 2020

R.Dhanalakshmi ... Petitioner

Vs

Mr.M.Ravi ... Respondents

PRAYER: Original Petition filed for Testamentary and Intestate under Section 222 and 276 of Indian Succession Act, 1925 under Order XXV Rule 4 of Original Side Rules, prays that the petitioner may be allowed to prove the Will in common form and that probate thereof to have effect through the state of Tamil Nadu may be granted to him.

For Petitioner : Mr.P.Manikannan

For Respondent : Mr.Kalaiyaran

ORDER

This Original Petition has been filed for issuance of probate for the last Will and testament dated 18.11.2004 executed by Late A.T.S.Mani @ Subramani, who died on 18.03.2006. The petitioner is the daughter in-law of the testator, who is also the wife of the respondent herein. The respondent is the son of the testator. The petitioner has been appointed as



O.P.No.472 of 2020

the sole executor under the said Will. The petitioner's and respondent's son namely R.Praveen Kumar is the beneficiary under the said Will.

2. The petitioner has been examined as P.W.1. She has produced the death certificate of the testator A.T.S.Mani @ Subramani, as Ex.P1. The Original Will and Testament dated 18.11.2004, has been marked as Ex.P2.

3. One Mr.K.M.Adikesavan, who is the first attesting witness to the said Will has been examined as P.W.2. He has spoken about the execution of the Will by the testator and its attestation by himself.

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 18.11.2004.

21.04.2023

pbn
Index :Yes/No
Speaking: Yes/ No
Neutral Citation: Yes/No



O.P.No.472 of 2020

Petitioner's witness:

P.W.1 – Mrs.R.Dhanalakshmi

P.W.2 —Mr.K.M.Adikesavan

Documents exhibited by the petitioner:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Computer generated death certificate of petitioner's father-in-law Subramani, who died on 18.03.2006
Ex.P2	Original last Will and Testatment executed by the petitioner's father-in-law A.T.S.Mani on 18.11.2004, registered as Doc No.63 of 2004 at Joint I Sub-Registrar Chennai North.
Ex.P3	Affidavit of assets showing the net value of the estate as Rs.30,00,000/-

21.04.2023

pbn



WEB COPY



O.P.No.472 of 2020

K.KUMARESH BABU,J.

pbn

O.P.No.472 of 2020

21.04.2023