



[O.P.NO.381 OF 2022](#)

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N.SATHISH KUMAR, J.

This Original Petition has been filed under Sections 222 and 276 of the Indian Succession Act, 1925, read with Order XXV Rule 4 of the Madras High Court Original Side Rules, for grant of probate in respect of the last Will and Testament of the deceased Mr.K.Raman.

2.The petitioner is the Executor of the Will and Testament dated 19.05.2018 executed by the deceased K.Raman. The respondents are the children of the deceased. The wife of the deceased pre-deceased him. The deceased died on 18.09.2021 leaving behind him the respondents herein as his legal heirs. Hence, the petitioner seeks grant of probate of the Will.

3.The petitioner examined himself as P.W.1 and he has stated about the execution of the Will by the deceased and marked Exs-P.1 to P.3. The document viz., Ex-P.1 is the original Will dated 19.05.2018 executed by the deceased; Ex-P.2 is the death certificate of the deceased; Ex-P.3 is the affidavit of assets showing the net value of estate as Rs.13,32,98,491/-.



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4.Mr.A.Sriram, one of the attesting witnesses of the Will has been examined as P.W.2. He has stated about the execution as well as the attestation of the Will by the said Mr.K.Raman, while he was in sound state of mind in the presence of one Mr.T.R.Murali. At the request of the testator, P.W.2 signed as first attesor to the Will. Ex-P.4 is the affidavit filed by P.W.2 in this regard. The respondents have filed consent affidavits. The evidence of attesting witness not only prove the execution but also attestation of the Will and there is no other materials to suspect the Will.

5.In view of the above facts, I am of the view that the petitioner has proved the execution and attestation of the Will. Hence, the petitioner is entitled for the issuance of probate in favour of the petitioner.

6.The Original Petition is ordered. Grant probate of the Will in respect of the petitioner.

28.11.2023

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