



WEB COPY



O.P.No.130 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:27.04.2023

CORAM

THE HONOURABLE **MR.JUSTICE K.KUMARESH BABU**
O.P.No.130 of 2022

V.Rajesh

Vs

... Petitioner

1.Gowri Gopalakrishnan

2.V.Muralidharan

3.Harish Vellat

... Respondents

PRAAYER: 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 to prove the Will and testament dated 20th March 2019 executed by the testator Mr.V.Gopalakrishnan in common form and that the Probate thereof.

For Petitioner : Mr.Govind Chandrasekhar

For Respondents : No appearance

ORDER

This Original Petition has been filed for issuance of probate for the last Will and testament dated 20.03.2019 executed by Late V.K.Gopalakrishnan, who died on 01.05.2020. The petitioner and the second and the third respondents are the sons and the first respondent is the wife of the testator. The petitioner is appointed as the executor under the Will. The respondents have



O.P.No.130 of 2022

filed their consent affidavits expressing their consent for grant of probate.

WEB COPY

2. The petitioner has been examined as P.W.1. He has produced the death certificate of the testator V.K.Gopalakrishnan, as Ex.P2. The Original Will and Testament dated 20.03.2019, 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 respondents are the only class-I legal heirs of the testator. The consent affidavits of the respondents has been marked as Exs.P4 to P6.

3. One Mr.Prashant Rajagopal, 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 and Mr.A.Saravanan.

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 20.03.2019.

27.04.2023

gba

Index :Yes/No

Speaking: Yes/ No

Neutral Citation: Yes/ No



O.P.No.130 of 2022

Petitioner's witness:

P.W.1 – Mr.V.Rajesh

P.W.2 – Mr.Prashant Rajagopal

Documents exhibited by the petitioner:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Original Will dated 20.03.2019 executed by V.K.Gopalakrishnan
Ex.P2	Computer generated death certificate of V.K.Gopalakrishnan
Ex.P3	Computer generated legal heirship certificate of V.K.Gopalakrishnan
Ex.P4	Consent affidavit given by the 1 st respondent
Ex.P5	Consent affidavit given by the 2 nd respondent
Ex.P6	Consent affidavit given by the 3 rd respondent
Ex.P7	Affidavit of assets showing the net value of the estate as Rs.4,48,03,000/-
Ex.P8	Affidavit of the attesting witness PW2

27.04.2023

gba

K.KUMARESH BABU,J.



WEB COPY



O.P.No.130 of 2022

gba

O.P.No.130 of 2022

27.04.2023