



O.P.No.675 of 2022

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WEB CO **N.SATHISH KUMAR, J.**

This petition has been filed under Sections 222 and 276 of the Indian Succession Act, 1925 read with Order XXV, Rule 4 of O.S. Rules, for the grant of Probate in respect of the last Will and Testament of the deceased Shri.Ramanathan Chandrasekaran.

2. This petition has been filed for grant of Probate in respect of the Will of one Ramanathan Chandrasekaran executed on 30.05.2022. The petitioner is the executor of the will and the first respondent is the beneficiary in respect of the life interest. The other respondents are the siblings of the deceased and they have filed their consent affidavit before this Court. The deceased in sound mind had appointed the petitioner as the Executor and the first respondent as the beneficiary in respect of life interest. The ultimate beneficiary is the petitioner Math. The testator died on 11.07.2022. The amount of assets which is likely to come to the petitioner hands does not exceed in the aggregate sum of Rs.7,00,00,000/- and the net amount of the said assets after deducting all the items, which the petitioner is



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by law to deduct is only of the value of Rs.7,00,00,000/-. The petitioner hereby undertake to duly administer the specified property and credits of the deceased in any way concerning his Will by paying the debts first and then the legacies therein bequeathed so far as the assets will extend and to make full and true inventory thereof and exhibits the same in this Court within the six months from the date of the grant of Probate with the Will annexed to the petition and also to render to this Court a true account of the said property within one year from the said date.

3. The Petitioner Math's Manager has been examined as P.W.1. P.W.1 in his evidence had narrated the averments made in the petition stating that the petitioner has filed this petition for grant of Letters of Administration in their favour in respect of the Last Will and Testament executed by the deceased Ramanathan Chandrasekaran executed on 30.05.2022. The Will executed by the deceased Ramanathan Chandrasekaran has been marked as Ex.P.1. The deceased Ramanathan Chandrasekaran has executed the Will on 30.05.2022. Ex.P.6 is the computer generated death certificate of the deceased Ramanathan Chandrasekaran. Ex.P.6 has been filed to prove that



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the testator Ramanathan Chandrasekaran died on 11.07.2022. Ex.P.11 is the affidavit of assets dated 24.08.2022. Ex.P.12 is the consent affidavit of the third respondent, none have objected for the same.

4. One R.Mohanakrishanan, who is one of the attesting witness in the Will, was examined as P.W.2. In his evidence, he has stated that he has signed as the first attesting witness in the Will. He has further stated in his evidence that the testator was in sound state of mind while executing the Will and he has also seen the testator signing the Will and the other attesting witness signing in the document. He has also stated that the testator has seen the attesting witnesses subscribing their signature in the Will. 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. The other respondents have filed their consent affidavit. Such being the position, the petitioner is entitled for the issuance of probate in his favour.



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

16.10.2023

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