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Before: Shri S. S. Agate

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 24th July, 2024

CALLED FOR DIRECTION:

**81.TP/2445/2024
(ECHCBM02036082024)
with
WILL/990/2024**

) **Ms.Avni Singhania a/w. Adv. Archana Deshmukh i/b.**
) **Singhania & Co., for Petitioners.**

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) P. C. : 1. Perused Petition which is filed online. Heard
) Ld. Advocate for Petitioners. This Petition is for
) Probate of Last Will and Testament of the
) deceased filed by Petitioners Babu Iyer and
) Anjali Iyer being the Executors named under the
) Will of the deceased. Deceased Mr. Subramaniam
) S/o. Mahadevan Iyer, said to have died at Mumbai
) on 25.07.2023. Copy of Death Certificate is
) annexed to the Petition. Copy of Aadhaar Card of
) the deceased as ID Proof are annexed to the
) petition.

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) 2. Ms. Avni Singhania, Advocate for Petitioners
) submits that deceased left behind him last Will
) and Testament which was duly executed at
) Mumbai on 25.04.2021. The said will is in
) English language.

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) 3 Ms. Avni Singhania, Advocate for the
) Petitioner submits that deceased was governed
) under the Hindu Succession Act, 1956. It is
) submitted that the deceased Mr. Subramaniam
) Iyer was previously married to Ms. Kanchana Iyer
) in the year 1990. A son viz. Vishwatma Iyer was
) born out of the said wedlock. However, the
) marriage between the deceased and Ms. Kanchana
) Iyer did not last long and it was dissolved by a
) decree of the divorce dated 26/07/1993 passed by
) the Family Court at Bandra, Mumbai. The custody
) of Vishwatma was always with his mother. The
) deceased Mr. Subramaniam M. Iyer remarried on

) 19/06/1994 to Ms. Latha Iyer. Out of the said
) wedlock, a daughter viz., Ms. Nikita was born on
) 12/09/1996, who is now a doctor. Mrs. Latha Iyer
) died on 13/07/2018. The death certificate of Mrs.
) Latha Iyer issued by the Municipal Corporation of
) Greater Mumbai 15 is at Exhibit — D. The
) mother of the deceased viz., Mrs. Laxmi
) Mahadevan Iyer died on 11/10/1997. A photocopy
) of her death certificate issued by the Municipal
) Corporation of Greater Bombay is at Exhibit — E.
) Save and except as mentioned in para –9, there are
) no other legal heirs and next of kin left by the
) deceased.
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) 4. Petitioners' Oath are filed. Consent affidavits
) of son and daughter as mentioned in para 9 are on
) record. Affidavit of Babu Iyer, one of the attesting
) witness to the Will is filed. Affidavit of service of
) General Citation is filed. All affidavits are filed
) online. All other legal formalities are complied
) with. Hence, Petition is granted.
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) 5. Office to issue Probate as prayed after
) verifying whether any Cross Petition or Caveat is
) filed.
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24.07.2024

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