



RMT.TEEKAA RAMAN,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 K.E.Koshy. The petitioner is the executor named in the said Will.

2. The said Will was duly executed by him in his residence No.40, old No.31, Barnaby Road, Kilpauk, Chennai - 600 010 on the 28th day of February 2018.

3. The amount of the assets which are likely to come into the petitioner's and second petitioner's hands does not exceed in the aggregate the sum of Rs.4,33,00,000/- (Rupees Four Crores and Thirty Three Lakhs only) and the net amount of the said assets, after deducting all itmes which the petitioner is by way allowed to deduct is of the value of Rs.4,33,00,000/-.

4. The petitioner was examined as P.W.1 and Exs.P1 to P8 were marked and the documents are as follows:



Sl. No.	Exhibits	Documents
1.	Ex.P1	The original Will dated 28.02.2018 executed by Mr.K.E.Koshy
2.	Ex.P2	The photocopy of the petitioner's Aadhar Card
3.	Ex.P3	The original death certifactate of Mr.K.E.Koshy
4.	Ex.P4	The original legal heir certificate of Mr.K.E.Koshy
5.	Ex.P5	The photocopy of the sale deed dated 08.05.1974 executed in favour of K.E.Koshy
6.	Ex.P6	The photocopy of the sale deed dated 02.09.1988 executed in favour of Mr.K.E.Koshy and Mr.Aju Koshy
7.	Ex.P7	The photocopy of the sale deed dated 17.08.1991 executed in favour of Mr.K.E.Koshy
8.	Ex.P8	The affidavit of assets showing the net value of the estate as Rs.4,33,00,000/-

5. Mrs.Prasanna was examined as P.W.2 and Exs.P9 and P10 are marked and she had deposed that while executing the Will, the testator was in a sound and disposing state of mind and in his presence the attesting witnesses subscribed their signature in the Will.

6. 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.

7.The Original Petition is ordered. Grant Probate of the Will in respect of the petitioner.

18.10.2024

nvi

<https://www.mhc.tn.gov.in/judis>



WEB COPY

3



RMT.TEEKAA RAMAN,J.

nvi

O.P.No.860 of 2023

18.10.2024