



A.No.3151 of 2024
in O.P.No.536 of 2022

WEB COPY

C.V.KARTHIKEYAN, J.

This application has been filed seeking permission to examine the mother of the petitioner / K.Lalitha as a witness to prove the execution of the Will.

2.The learned counsel stated that the present address of the first attesting witness is not known and notices had been served to the address at No.201, Santhome High Road, Chennai, which is found in the Will, but the notices had returned unserved. So far as the second attesting witness is concerned, it is not known where he is. It is under those circumstances, that taking recourse to Section 69 of the Indian Evidence Act, 1872, this application has been filed.

3.The learned counsel stated that the mother of the petitioner / K.Lalitha has knowledge about the normal signature of the first attesting witness, since, the first attesting was working with the testator and the mother of the petitioner being the daughter-in-law of the testator and is therefore acquainted with the normal signature of the first attesting witness.



C.V.KARTHIKEYAN,J.

smv

4.In view of those facts stated, this Application stands allowed.

02.07.2024

smv

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