



This Original Petition has been filed under Sections 222 and 276 of the Indian Succession Act, 1925 along with the relevant rules of the Original Side of Madras High Court seeking probate of the last Will of Roopchand Nahata, who died on 13.05.2021.

2.The petitioner is the daughter of the deceased late Roopchand Nahata, who died on 13.05.2021. The 1st respondent is the mother of the petitioner herein / wife of the deceased. The 2nd and 3rd respondents are the brother and sister of the petitioner herein / son and daughter of the deceased.

3.It is stated that the 2nd respondent is the beneficiary under the Will and among other covenants he is under an obligation to take care of the petitioner since she is a spinster. The 3rd respondent is married and is well off and no provision had been made for her in the Will. It is only expected that the 2nd respondent / son would also take care of his mother / 1st respondent.



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C.V.KARTHIKEYAN,J.

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4.To prove the Will, the petitioner had examined as PW-2, one of the attestors of the Will, who had affirmed the signatures and his presence during the execution of the Will. The entitlements of the deceased / share certificates and other aspects has been marked as Exs.P1 to P45. Ex.P46 is the Sale Deed of a property in favour of the deceased and also of the 1st respondent / his wife. The Will dated 03.05.2021 had been marked as Ex.P47 and the death certificate and legal heirship certificate had been marked as Exs.P48 and P49.

5.Taking into consideration all the facts and the further fact that the attestor had also been examined as witness and who had spoken about the actual execution of the Will, this petition stands allowed. The Registry to issue probate order in accordance with the rules.

03.04.2024

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O.P.No.385 of 2023