



WEB **C.V.KARTHIKEYAN,J.**

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 dated 30.10.2019 executed Mrs.M.Pushpa who died on 01.12.2020.

2.The petitioner is the executrix under the Will. The respondents are the beneficiaries. They have been served, but they have not raised any objection.

3.After following due procedure, the petitioner was directed to tender evidence and accordingly, she examined herself as PW-1. The original Will dated 30.10.2019 was marked as Ex.P1. The death certificate of M.Pushpa was marked as Ex.P2. The death certificate of Mr.Mani, the husband of M.Pushpa was marked as Ex.P4. The legal heirship certificate of her husband was marked as Ex.P5. The documents relating to the property were marked as Exs.P6 and P7.

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4.The petitioner also examined Mr.V.L.Ayyanathan as PW-2 who was one of the attesor to the Will. He is the brother of M.Pushpa. He affirmed the Will and stated that his sister was in a sound state of mind at the time of execution of Will. He also stated that the attestors and executor had signed the Will in the presence of each other. His affidavit was marked as Ex.P8.

5.In view of the evidence adduced, this Original Petition stands allowed. The probate may be issued in favour of the petitioner in accordance with the rules.

11.07.2024

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O.P.No.503 of 2023