



O.P.No.159 of 2024

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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 of Mrs.Zeenath Sheriffdeen, who died on 26.04.2021. Her husband had pre-deceased her. They had no children. It is stated that her sisters and brother had also pre-deceased her and there are no surviving legal heirs to the properties mention in the Will. The petitioner had been appointed as an executor under the Will. The petitioner is appearing as a party-in-person.

2.After following due procedure, the petitioner was directed to tender evidence. He examined himself as PW-1 and marked the death certificate of Mrs.Zeenath Sheriffdeen as Ex.P1 and the original Will dated 01.04.2021 as Ex.P8. The documents relating to the properties which had been bequeathed under the Will were marked as Exs.P2 to Ex.P7.

3.On the side of the petitioner, PW-2, Mrs.G.Mohana was also examined and she was one of the attesting witnesses. She identified Ex.P8



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Will and stated that the deceased had put her left thumb impression in the Will in her presence and in the presence of the other attesting witness Mr.U.Mohamed Thariq. She had signed as an attestor to the said Will. She stated that the testatrix was in a sound state of mind at the time of execution of Will.

4.It must also be stated that the beneficiaries under the Will are third party strangers and are not related to the testatrix. The petitioner, however, stated that they were from the village of the testatrix and had known her for a long period of time and had taken care of her and it was for that reason that they were chosen to be the beneficiaries under the Will.

5.Taking into consideration the evidence recorded, this petition stands allowed. The Registry to issue probate order in accordance with the rules.

12.06.2024

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