



O.P.No.488 of 2023

O.P.No.488 of 2023

WEB CO **N.SATHISH KUMAR, 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 V.H.Govindammal.

2. The case of the petitioner is that the deceased V.H.Govindammal executed a will dated 14.07.2008, wherein, the petitioner is appointed as executor and the respondents are the beneficiaries and the testatrix died on 27.08.2013. The respondents are the deceased younger sister's son and daughters and grandsons and granddaughter of V.H.Govindammal. There is no other kin or persons interested who has to be impleaded. The amount of assets which is likely to come into the petitioner's hands does not exceed in the aggregate sum of Rs.13,10,000/- and the net amount of the assets, after deducting all items which the petitioner by law allowed to deduct is of the value of Rs.13,10,000/-. The petitioner undertake to duly administer the property and credits of the deceased V.H.Govindammal and in any way



O.P.No.488 of 2023

concerning the Will by paying first her debts and then the legacies therein bequeathed so far as the assets will extend and to make a full and true inventory thereof to the Court within six months from the date of grant of Probate to the petitioner and also to render to this Court a true account of the said property and credits within one year from the said date.

3. The petitioner examined himself as P.W.1 and he had narrated the averments made in the petition stating that the petitioner has filed this petition for the grant of probate in his favour in respect of the Last Will and Testament executed by the testatrix on 14.07.2008. Ex.P.1 is the original will dated 14.07.2008 executed by the deceased. Ex.P2 is the computer generated death certificate of Mrs.R.Rukmani. Ex.P4 is the computer generated death certificate of Mrs.P.Sasirekha. Ex.P5 is the computer generated death certificate of deceased. Ex.P8 is the original death certificate of Mr.K.Kumar. Ex.P9 is the affidavit of assets showing the net value of estate as Rs.13,10,000/-.



O.P.No.488 of 2023

4. The one of the attesor of the Will dated 14.07.2008 has been examined as P.W.2. P.W.2 in his evidence has stated that the testatrix executed his last Will and Testament on 14.07.2008 in his presence and in the presence of Mr.Krishnan and at the request of the testatrix, the said Krishnan and P.W.2 have subscribed their signatures in the presence of the testatrix. He has further deposed that while executing the Will, the testatrix was in a sound and disposing state of mind and in his presence the attesting witnesses subscribed their signature in the Will. The evidence of P.W.1 and P.W.2 not only prove execution but also attestation of the Will and there is no other materials to suspect the Will.

5. 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.

6. The Original Petition is ordered. Grant probate of the Will in respect of the petitioner.

19.01.2024

dhk

3/4



WEB COPY



O.P.No.488 of 2023

N.SATHISH KUMAR, J.

dhk

O.P.No.488 of 2023

19.01.2024