



WEB COPY



O.P. No.394 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.10.2025

CORAM :

THE HONOURABLE MR.JUSTICE P.DHANABAL

O.P. No.394 of 2024

Ravindran Thangarajah S/o. Late S.V. Thangarajah ... Petitioner

VS.

1.T. Rajalakshmi W/o. Late S.V. Thangarajah
2. Muralidharan T S/o. Late S.V. Thangarajah
3. Prabakaran Thangarajah S/o. Late S.V. Thangarajah ... Respondents

PRAYER: Original Petition is filed under Section 222 and 276 of the Indian Succession Act 1925 and under Order XXV Rule 4 of Madras High Court Original Side Rules for issuing Probate.

For petitioner : Mr. S. Thanka Sivan

ORDER

This petition has been filed under Section 222 and 276 of the Indian Succession Act read with Order XXV Rule 4 of Madras High Court Original Side Rules seeking to grant Probate of the Will dated 07.05.2023 executed by

Page No.1 of 9



O.P. No.394 of 2024

Late S.V. Thangarajah to have effect through out the State of Tamil Nadu.

WEB COPY

2. According to the petitioner, one S.V. Thangarajah, who was ordinarily residing at Pillayar Koil Street, Ashok Nagar, Chennai, passed away on 11.03.2023 leaving behind his wife Mrs. T. Rajalakshmi and his sons. The petitioner is one of the sons of the deceased S.V. Thangarajah. The other two sons and the wife of the deceased are the respondents herein. The deceased, during his death, left certain immovable properties within the jurisdiction of this Court. An unregistered Will was executed by the deceased on 07.05.2023. The petitioner has been appointed as an Executor of the said Will. As per the Will, Item-1 of the schedule mentioned property has been bequeathed to the petitioner. 1/3 share in Item-2 of the schedule mentioned property was bequeathed to the 2nd respondent. Further the shares of the deceased S.V. Thangarajah in M/s. Eco Farms Pvt. Ltd., has been bequeathed in favour of the petitioner. The share certificate bearing No.23600 in the name of S.V. Thangarajah in M/s. Aandaraman Eco Farms Pvt Ltd., is more

Page No.2 of 9



O.P. No.394 of 2024

fully described in Item -3 of the Schedule. The net amount of the schedule mentioned properties would not exceed Rs.1,28,36,000/-. Except the petitioner and the respondents, there are no other next of kin to the testator to be impleaded.

3. The petitioner had undertaken to duly administer the specified property and credits of the deceased in any way concerned his Will by paying the debts first and then the legacies therein bequeathed so far as the assets will extend and to make full and true inventory thereof and exhibits the same in this Court within the six months from the date of the grant of probate to the petitioners and also to render to this Court a true account of the said property within one year from the said date.

4. In order to prove the claim of the petitioner, PW1 to PW3 were examined on the side of the petitioner, Ex.P.1 to Ex.P.9 and Ex.C.1 to Ex.C.3 were marked. On a perusal of evidences and documents, it is seen that PW1

Page No.3 of 9



O.P. No.394 of 2024

was examined and Ex.P.1 to Ex.P.7 were marked through PW1 on 21.03.2025.

Further, while in the chief continuation of PW1, on 04.09.2025, two more documents were marked as Ex.P.7 and Ex.P.8 instead of marking as Ex.P.8 and Ex.P.9. Two documents viz., Online copy of the Legal Heir Certificate of petitioner's father S.V. Thangarajah and the Photocopy of the shares of the petitioner's father in M/s. Anandaraman Eco Farms Pvt. Ltd., were inadvertently marked under 'Ex.P.7'. Therefore, the documents viz., Photocopy of the shares of the petitioner's father in M/s.Anandaraman Eco Farms Pvt. Ltd., and the Photocopy of the Sale deed dated 05.07.2018 shall be treated as 'Ex.P.8' and 'Ex.P.9'.

5. PW1, the petitioner herein, in his evidence had narrated the averments made in the petition stating that he has filed this petition for grant of Probate of the Last Will and Testament executed by the deceased Late S.V. Thangarajah on 07.05.2023. The said Will and testamant has been marked as 'Ex.P.5'. The two attesting witnesses to the Will have been examined as PW2

Page No.4 of 9



O.P. No.394 of 2024

and PW3. They have deposed that testator is PW2's elder sister's husband and

elder brother of PW3's father, that PW2 and PW3 are the 1st and 2nd attesting witnesses respectively, that the attesting witnesses were present when the testator executed the Will, that the testator was in sound state of mind while executing the Will and they signed in the Will as attestors. They have also stated that the testator put his left hand thumb impression in the Ex.P.5 Will. Therefore, the execution of the Will and attestation are duly proved in accordance with law. The respondents have also given their consent by filing their affidavits and the same have been marked as Ex.C.1 to Ex.C.3 respectively through PW1.

6. From the averments made in the petition and the petitioner side evidences supported by the documents, it is clear that the petitioner has proved his claim and there is no contra evidence. Hence, this Court is satisfied that the petitioner is entitled to the relief as prayed for in the petition.



O.P. No.394 of 2024

WEB COPY

7. In the result, the Original Petition is ***allowed*** and the Will executed by Late Mr. S.V. Thangarajah dated 07.05.2023 is hereby probated.

25.10.2025

Index : Yes/No
Speaking Order : Yes/No
mjs

APPENDIX:

List of Petitioner side Witnesses:

PW1 : Mr. Ravindran Thangarajah
PW2 : Mr. Raja Nataraja
PW3 : Mrs. Sudha

List of Petitioner side Documents:

Exhibit No.	Date	Description of Documents.
Ex.P.1	17.05.2005	Photocopy of the Construction Agreement in respect of Item-2 of the Schedule mentioned property.
Ex.P.2	07.06.2006	Photocopy of the Sale Deed in respect of



O.P. No.394 of 2024

		Item-2 of the Schedule mentioned property.
Ex.P.3	06.06.2014	Photocopy of the Sale Deed in respect of Item-1 of the Schedule mentioned property.
Ex.P.4	-	Photocopy of the Property Tax receipt in respect of the Item-2 of the Schedule mentioned property.
Ex.P.5	07.05.2023	Original Will executed by the petitioner's father S.V. Thangarajah.
Ex.P.6	06.09.2023	Online copy of the Death Certificate of petitioner's father S.V. Thangarajah.
Ex.P.7	15.09.2023	Online copy of the Legal Heir Certificate of petitioner's father S.V. Thangarajah.
Ex.P.8	-	Photocopy of the shares of the petitioner's father in M/s. Anandaraman Eco Farms Pvt. Ltd.,
Ex.P.9	05.07.2018	Photocopy of the Sale deed.

List of Court Documents:

Exhibit No.	Date	Description of Documents.
Ex.C.1	-	Consent affidavit of the 1st respondent Mrs. T. Rajalakshmi.
Ex.C.2	-	Consent affidavit of the 2nd respondent Mr. T. Muralidharan.



O.P. No.394 of 2024

Ex.C.3.

-

Consent affidavit of the 3rd respondent Mr.
Prabaharan Thangarajah.

WEB COPY

25.10.2025

P.DHANABAL.,J

mjs



WEB COPY



O.P. No.394 of 2024

O.P. No.394 of 2024

25.10.2025