



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-11-2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

OP No. 287 of 2025

1. S.Mohan

S/o.Sathanantham, No.28, West
Krishnappa Garden, 1st Street,
Oldwashermenpet, Chennai - 600 021.

Petitioner(s)

Vs

1. S.Kuppammal and 5 Others

W/o.Sukumar, No.28, West Krishnappa
Garden, 1st Street, Oldwashermenpet,
Chennai - 600 021.

2.Karthik

S/o.Sukumar, No.52/28, West
Krishnappa Garden, 1st Street,
Oldwashermenpet, Chennai - 600 021.

3.Kirubakran

S/o.Santhanatham, No.52/28, West
Krishnappa Garden, 1st Street,
Oldwashermenpet, Chennai - 600 021.

4.Sagayaraj



S/o.Santhanatham, No.9, Balaji Nagar,
Varadharajapuram, Mudichur,
Kancheepuram - 600 048.

5.Lingasan

S/o.Sathanatham, No.3, Kavari Street,
Periyapalayam, Tiruvallur - 601102.

6.Hemavathi

No.28, 2nd Street, Moogambai Nagar,
Extension on Melakalkandarkottai,
Tiruchirappalli - 620 011.

Respondent(s)

PRAYER The Original Petition has been filed under Sections 222 and 276 of the Indian Succession Act read with Order XXV Rule 4 of Original Side Rules praying that he may be allowed to prove the Will in common form and that probate thereof to have effect limited to the State of Tamil Nadu may be granted to him Gross Amount Rs.23,42,400/- and Net Amount Rs.23,22,400/- Suc.duty of Rs.25,000/- paid on 11.06.2025 by e-C/F D.No.20583/2025.

For Petitioner(s): M/s.R.A.Shinusha

For Respondent(s): No appearance.

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 16.05.2019 executed by

Late Tmt. Vaduvambal to have effect through out the State of Tamil Nadu.

2. According to the petitioner, he is the son of the deceased Mrs. Vaduvambal W/o. Mr. Sadhanantham. The deceased Mrs. Vaduvambal died on 03.09.2022. Her last Will and Testament is dated 16.05.2019 and the same was executed in the presence of two witnesses. As per the said Will, the petitioner herein is appointed as an Executor of the said Will. The 1st respondent is the daughter-in-law of the deceased, 2nd respondent is the grandson of the deceased, the respondents 3 to 5 are the sons of the deceased and the 6th respondent is the only daughter of the deceased. All the next of kin to the deceased have been implicated as parties in the petition and there is no other next of kin or legal heirs to the deceased to be impleaded. The amount of assets which are likely to come into the petitioner's hands does not exceed in the aggregate the sum of Rs.23,42,400/-. The respondents 1 to 5 have given their consent for grant of probate in favour of the petitioner. The 6th respondent was already allocated



with a property earlier and therefore, she was not included as a beneficiary to the Will.

3. The petitioner had undertaken to duly administer the specified property and credits of the deceased in any way concerned her 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 petitioner 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, he examined PW1 to PW3 and marked Ex.P.1 to Ex.P.9. The petitioner herein has been examined as PW1 and he has deposed by narrating 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 Mrs.Vaduvambal on 16.05.2019. The Original



Will and testament has been marked as 'Ex.P.1'. PW2 and PW3 are the attesting witnesses, who have deposed that they have signed attesting witnesses in the Will dated 16.05.2019 executed by Mrs. Vaduvambal and the testatrix is his family friend and the testatrix executed the Will in the presence of PW2 and PW3. They have also identified the signatures of the Testatrix and the attesting witnesses. Therefore, the execution of the Will and attestation are duly proved in accordance with law.

5. From the averments made in the petition and the petitioner's 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.

6. In the result, the Original Petition is ***allowed*** and the Will executed by Late Mrs. Vaduvambal dated 16.05.2019 is hereby probated.

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Index: Yes/No



Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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APPENDIX:**List of Petitioner side Witnesses:**

PW1 : Mr.S.Mohan
PW2 : Mr. R. Jeeva
PW3 : Mr.E. Srinivasan

List of Petitioner side Documents:

Exhibit No.	Date	Description of Documents.
Ex.P.1.	16.05.2019	Original Will executed by Mrs. Vaduvambal.
Ex.P.2	-	Computer generated Death Certificate of Mrs. Vaduvambal.
Ex.P.3	-	Computer generated Legal Heirship Certificate of Mrs. Vaduvambal.
Ex.P.4.	-	Computer generated Legal Heirship Certificate of Mr. Sukumar.S.
Ex.P.5	12.09.1979	Photocopy of the Sale Deed executed in favour of Mrs. Vaduvambal.
Ex.P.6	-	Certificate filed under Section 63(4) of B.S.A.
Ex.P.7	-	Affidavit of assets showing the net value of estate as Rs.23,22,400/-
Ex.P.8	-	Photocopy of Aadhar Card of PW2.
Ex.P.9	-	Photocopy of Aadhar Card of PW3.

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