



O.P. No.634 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.10.2025

CORAM :

THE HONOURABLE MR.JUSTICE P.DHANABAL

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V.S. Sudarshan Ananda	...	Petitioner
	Vs.	
1.S. Nagaraj S/o. B. Suresh.		
2.S. Balaji S/o. B. Suresh	..	
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 petitioners : Mr. T. Chandrasekaran

For respondents : 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



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Side Rules seeking to grant Probate of the Will dated 16.09.2014 executed by

Late Ms. Prapulla Ramarajan to have effect limited to the State of Tamil Nadu.

2. One Ms. Prapulla Ramarajan died on 31.07.2023 in Bengaluru, Karnataka. The said deceased, at the time of her death, left the property at No.48, Moorthy Nagar, Villivakkam, Chennai, which is within the jurisdiction of this Court. The deceased Ms. Prapulla Ramarajan had duly executed a Will dated 16.09.2014 in the presence of two witnesses namely Syed Tameem Pasha and S. Mahesh Kumar and she has appointed the petitioner herein, who is the nephew of the deceased, as the Executor of the Will. The deceased Ms. Prapulla Ramarajan had bequeathed her property in Villivakkam more fully described in schedule, to and in favour of the petitioner and the respondents herein. The amount of assets which is likely to come to the petitioner's hands does not exceed in the aggregate sum of Rs.24 lakhs. The husband of the deceased predeceased her on 23.08.2014. The deceased has no surviving Class-I legal

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heirs. The parents of the deceased also predeceased her. The siblings of the deceased also predeceased her. The respondents are the grand-nephew of the deceased. There are no other next of kins or interested persons to be impleaded in this petition. As the deceased has no Class-I legal heir and there are no other next of kin to the deceased, the petitioner and the respondents are the only necessary parties in this case. Therefore, the petitioner has filed this petition. The respondents have filed their consent affidavits to grant letters of administration to the petitioner.

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.



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4. In order to prove the claim of the petitioners, PW1 and PW2 were examined on the side of the petitioners and Ex.P.1 to Ex.P.15 were marked. 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 Ms. Prapulla Ramarajan on 16.09.2014. The original Will and testamant has been marked as 'Ex.P.1'. Mr. Syed Tameem Pasha, one of the attesting witnesses, has deposed that he is the first attesting witness to the Will and he knows the testatrix as his neighbour, that he was present when the testatrix executed the Will, that the testatrix was in sound state of mind while executing the Will and he, along with one Mr. Mahesh Kumar, has signed in the Will as attestors. He has also identified the signatures of testatrix and attestors. Therefore, the execution of the Will and attestation are duly proved in accordance with law. The respondents did not appear before this Court. .



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5. From the averments made in the petition and the petitioner side evidences supported by the documents, it is clear that the petitioners have proved their claim and there is no contra evidence. Hence, this Court is satisfied that the petitioners are 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 Ms. Prapulla Ramarajan dated 16.09.2014 is hereby probated.

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Index : Yes/No
Speaking Order : Yes/No
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APPENDIX:

List of Petitioner side Witnesses:

PW1 : Mr. V.S. Sudarshan
PW2 : Mr. Syed Tameem Pasha

List of Petitioner side Documents:

Exhibit No.	Date	Description of Documents.
Ex.P.1.	16.09.2014	Original registered Will executed by Mrs. Prapulla Ramarajan.
Ex.P.2	13.11.1972	Photocopy of the Sale Deed executed in favour of Mrs. Prapulla Ramarajan.



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Ex.P.3	1	Photocopy of Death Certificate of V. Venkatavaradha Iyengar in Kannada along with the English translation of the same
Ex.P.4	1	Photocopy of the Death Certificate of Mrs. S. Meera.
Ex.P.5	1	Photocopy of Death Certificate of Mrs. Kamalamma.V. along with English translation.
Ex.P.6	1	Photocopy of Death Certificate of V. Seetharam in Kannada along with English translation of the same.
Ex.P.7	1	Photocopy of Death Certificate of V. Ramamani.
Ex.P.8	1	Computer generated Death Certificate of Ramarajan.H.S. along with the Certificate under Section 63(a) of B.S.A.
Ex.P.9	1	Photocopy of the Death Certificate of Prapulla Ramarajan.
Ex.P.10	1	Photocopy of the Aadhar Card of Mr. Nagaraj.S, the 1 st respondent herein.
Ex.P.11	1	Photocopy of the Aadhar Card of Mr. Balaji.S., the 2 nd respondent herein.
Ex.P.12	1	Photocopy of PW1's Aadhar Card.



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Ex.P.13	1	Affidavit of assets showing the net value of the estate is Rs.33,30,000/-.
Ex.P.14	1	Aadhar Card of PW2.
Ex.P.15	1	Affidavit of PW2.

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