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O.P.No.361 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.11.2025

CORAM :

THE HONOURABLE MR.JUSTICE P.DHANABAL

O.P. No.361 of 2025

Siddharth Rajagopalan S/o.Late Rajagopalan ... Petitioner

Vs.

1. Ramgopal Lakshmi Ratan
2. Gopalakrishnan Lakshmi Ratan
3. Vyas Lakshmi Ratan
4. Vyas Lakshmi Rata Private Trust
rep. By its trustee –
Mr.Ramgopal Lakshmi Ratan

... Respondents

PRAYER: Original Petition is filed under Sections 222 and 276 of the Indian Succession Act XXXIX/1925 for Grant of Probate r/w Order XXV Rule 4 of Madras High Court Original Side Rules.

For petitioner : Mrs. Akila Srinivasan

For respondents : Mr. P.Sathyanathan

ORDER

This petition has been filed under Sections 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 23.12.2023 executed by Late Mrs.Malathi Lakshmi Ratan to have effect limited to the State of Tamil Nadu.



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2. According to the petitioner, Mrs.Malathi Lakshmi Ratan, Testator executed an unregistered Will on 23.12.2023 at her residence and the petitioner is the nephew of the testator and he was appointed as executor of the Will. The said Malathi Lakshmi Ratan died on 06.01.2025 and her husband pre-deceased her on 23.07.2014. The 1st and 2nd respondents, who are the sons and the 3rd respondent, who is the grand son of the said Testator, are the beneficiaries to the movable and immovable properties of the testator. The testator was the absolute owner of the properties described in the Petition. The said properties were purchased by the testator and her husband during their lifetime. The parents of the testator predeceased her. The testator executed a Will dated 23.12.2023 bequeathing the immovable properties in favour of her sons, and grand son, the respondents herein. The petitioner was appointed as executor of the said Will executed by the testator Late Mrs.Malathi Lakshmi Ratan. Thereafter, the testator died on 06.01.2025 leaving behind the respondents as legal heirs. The market value of the petition mentioned properties would not exceed Rs.4,50,00,000/-.

3. The testator had appointed the petitioner as the executor of the Will and the respondents are the beneficiaries of the said Will. Except



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the respondents, there are no other next of kin to the testator to be impleaded. The 1st respondent herein, was examined as P.W.1. and he is the first attesor in the said Will dated 29.12.2023. He has deposed that the testator had executed a Will dated 29.12.2023 and he was also present along with the testator at the time of execution of Will. He has also identified the signatures of the attesor and testator in the Will. The 2nd respondent herein was examined as PW2, as the second attesor to the Will. He has deposed that the testator had executed a Will dated 29.12.2023 and he was also present along with the testator at the time of execution of Will. He has also identified the signatures of the attesor and testator in the Will. The petitioner was examined as PW3 and reiterated the contents in the petition.

4. The amount of assets which is likely to come to the respondents/beneficiaries hand does not exceed in the aggregate sum of Rs.4,50,00,000/-. The petitioner had undertaken to duly execute 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



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from the said date.

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5. In order to prove the claim of the petitioner as well as respondents, PW1 to PW3 were examined and Ex.P.1 to Ex.P.8 were marked.

7. From the averments made in the petition and the depositions of PW1 to PW3 supported by the documents, it is clear that the petitioner is the executor of the Will and the respondents are the beneficiaries of the Will 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.

8. In the result, the Original Petition is **allowed** and the Will executed by Late Mrs.Malathi Lakshmi Ratan dated 29.12.2023 is hereby probated.

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Index : Yes/No
Speaking Order : Yes/No
ssd



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APPENDIX:

List of Witnesses:

PW1 : Mr. Ramgopal Lakshmi Ratan / 1st respondent
PW2 : Mr.Gopalakrishnan Lakshmi Ratan / 2nd respondent
PW3 : Mr.Siddharth Rajagopalan/ Petitioner

List of Documents:

Exhibit No.	Date	Description of Documents.
Ex.P.1	29.12.2023	Original Unregistered Will dated 29.12.2023 executed by Mrs.Malathi Lakshmi Ratan
Ex.P.2	12.12.2022	Photocopy of unregistered agreement of construction
Ex.P.3	-	Computer generated legal heirship certificate of Mrs.Malathi Lakshmi Ratan along with affidavit under Section 63(4) of BSA
Ex.P.4	-	Computer generated death certificate of Mrs.Malathi Lakshmi Ratan along with affidavit u/s 63(4) of BSA
Ex.P.5	-	Photocopy of Aadhaar Card
Ex.P.6	26.01.1993	Photocopy of the Vyas Lakshmi Rata Private Trust Deed dated 26.01.2023
Ex.P.7	-	Photocopy of the PAN Card of the Trust
Ex.P.8	-	Affidavit of Assets showing the net value of the estate as Rs.4,49,70,000

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