



O.P. No.416 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.10.2025

CORAM :

THE HONOURABLE MR.JUSTICE P.DHANABAL

O.P. No.416 of 2023

A.R. Mahadevan S/o. Late A.S. Ranganathan

..... Petitioner

Vs.

1.Manjula Srinivasan W/o. Late S.V. Srinivasan

2.S. Karthick S/o. Late S.V. Srinivasan

3.S. Giridhar S/o. Late S.V. Srinivasan

4.S. Balasubramanian S/o Late S. Swaminatha Iyer

5.S. Krishnaswamy S/o. Late S. Swaminatha Iyer

6.Jayashree Sankaranarayanan W/o. Late S. Sankaranarayanan

7.Minor S. Divya D/o. Late S. Sankaranarayanan

8.S. Thaiyalnayagi D/o. S. Swaminatha Iyer

9.S. Vijayalakshmi D/o. Late S. Swaminatha Iyer

10.Jayamangalam D/o.Late S. Swaminatha Iyer and

W/o. K. Raja Ramanathan

11.S. Renuka D/o. Late S. Swaminatha Iyer and

W/o. A.R. Mahadevan

.... 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.



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For petitioners : Mr. V.C. Selvasekaran

For respondents :

R1 to R5 and

R8 to R10 : Mr. S. Nagarajan

R6, R7 and R11 : 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 10.08.2014 executed by Late Mr. S. Ramjee to have effect limited to the State of Tamil Nadu.

2. According to the petitioner, one S. Ramjee S/o. Late S. Swaminatha Iyer died on 26.07.2020. The said deceased S. Ramjee had executed a Will dated 10.08.2014. According to the Will and Testament of the deceased S. Ramjee, the petitioner and one Late S. Sankaranarayanan, who is the husband and father of 6th and 7th respondents were appointed as executors of the said Will. The deceased left behind him the respondents as his next of kin to succeed his estate and the respondents are the legal heirs of the said

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deceased S. Swaminatha Iyer. There is no any objection raised by any respondent or any other person to probate the Will in favour of the petitioner.

The respondents have also filed their consent affidavits in this regard. The value of assets would come around Rs.1,65,50,000/-. Therefore, the petitioner has filed this petition.

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 petitioners, PW1 and PW2 were examined on the side of the petitioner and Ex.P.1 to Ex.P.12 and Ex.C.1 to

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Ex.C.10 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 Mr. S. Ramjee on 10.08.2014. The original Will and testamant has been marked as 'Ex.P.3'. Mr. V. Subramanian, one of the attesting witnesses, has deposed that he is the second attesting witness to the Will and he knows the testator as his neighbour and he was present when the testator executed the Will, that the testator was in sound state of mind while executing the Will and he, along with his wife Dr. R. Mahalakshmi, has signed in the Will as attestors. He has also identified the signatures of testator and attestors. 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 petitiner 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

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satisfied that the petitioner is entitled to the relief as prayed for in the petition.

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6. In the result, the Original Petition is ***allowed*** and the Will executed by Late Mr. S. Ramjee dated 10.08.2014 is hereby probated.

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

APPENDIX:

List of Petitioner side Witnesses:

PW1 : Mr. A.R. Mahadevan

PW2 : Mr. V. Subramanian

List of Petitioner side Documents:

Exhibit No.	Date	Description of Documents.
Ex.P.1.	22.09.1986	Photocopy of the Sale Deed in favour of Ramjee.
Ex.P.2	19.04.1995	Photocopy of the Sale Deed in favour of Ramjee.



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Ex.P.3	10.08.2014	Original unregistered Will executed by S. Ramjee.
Ex.P.4.	18.08.2020	Computer generated Death Certificate of S. Ramjee [Date of Death: 26.07.2020].
Ex.P.5	20.10.2020	Computer generated Death Certificate of Mr. Srinivasan [Date of Death: 18.09.2020].
Ex.P.6	02.07.2021	Computer generated Death Certificate of Mr. Sankaranarayanan Swaminathan [Date of Death: 24.06.2021]
Ex.P.7	29.04.2022	Computer generated Death Certificate of S. Meenakshi Ammal [Date of Death: 30.01.2018]
Ex.P.8	27.04.2022	Original intimation letter to City Union Bank, K.K. Nagar Branch, Chennai by the petitioner Mahadevan.
Ex.P.9	27.04.2022	Original Intimation letter to TNSC Bank, K.K. Nagar Branch, Chennai by the petitioner Mahadevan.
Ex.P.10	27.04.2022	Original Intimation Letter to State Bank of India, K.K. Nagar Branch, Chennai by the petitioner Mahadevan.
Ex.P.11	27.04.2022	Original Intimation Letter to State Bank of India, K.K. Nagar Branch, Chennai by the petitioner Mahadevan.
Ex.P.12		Affidavit filed by the petitioner under Section 65B of Indian Evidence Act.



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List of Court Documents:

Exhibit No.	Date	Description of Documents.
Ex.C.1.	-	Consent Affidavit of 11 th respondent Mrs. S. Renuka
Ex.C.2	-	Consent Affidavit of 1 st respondent Mrs. Manjula Srinivasan.
Ex.C.3	-	Consent Affidavit of 4 th respondent Mr. S. Balasubramanian
Ex.C.4.	-	Consent Affidavit of 5 th respondent Mr. S. Krishnasamy.
Ex.C.5	-	Consent Affidavit of 8 th respondent Mrs. S. Thaiyalnayagi.
Ex.C.6	-	Consent Affidavit of 9 th respondent Mrs. S. Vijayalakshmi
Ex.C.7	-	Consent Affidavit of 10 th respondent Mrs. Jayamangalam.
Ex.C.8	-	Consent Affidavit of 2 nd respondent Mr. Karthick
Ex.C.9		Consent Affidavit of 3 rd respondent Mr. S. Giridhar
ExC.10		Consent Affidavit of 6 th respondent Mrs. Jayashree Sankaranarayanan..

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