



O.P. No. 524 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated: 21.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE K. KUMARESH BABU

O.P. No. 524 of 2024

Rajkumar Rajamani

... Petitioner

Vs.

1.Vijaya Balasubramaniam

2.Lalitha Nalin

3.Radha Srikanth

4.Geetha Madhu

5.V.K.Shivakumar

6.Govind Balasubramaniam

7.Priya Kakkar

... Respondents

PRAYER: Original Petition is filed under Sections 222 and 276 of the Indian Succession Act and under Order XXV Rule 4 of O.S.Rules for grant of probate, to prove that the Will in common form and that Probate thereof to have effect through out the Union of India, granted to petitioner and thus render justice.

For Petitioner : Mrs. Rukmani
for M/s.P.B.Ramanujam Associates
For Respondents : Mr. P.M. Sachin for R2 & R3
No appearance for R1, R4 to R7



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ORDER

This Original Petition has been filed for issuance of Probate for the Last Will and testament dated 13.10.2023 executed by Late.V.K.Natrajan, who died as bachelor on 20.10.2023.

2. The petitioner and the sixth respondent are the nephews, the respondents 1 to 4 are sisters, the fifth respondent is brother and the seventh respondent is the niece of the testator. The petitioner has been appointed as an executor under the Will. The petitioner and the respondents are the beneficiaries under the Will. The testator bequeathed the property in respective shares to the parties.

3. The petitioner has examined himself as PW1. He has produced the death certificate and legal heirship certificate of Late.V.K.Natrajan as Ex.P2 and Ex.P3. The Original Will and testament dated 13.10.2023 as Ex.P1. A perusal of Ex.P3, shows that the testator died leaving behind the respondents 1 to 5 as surviving legal heirs of the testator. In Ex.P1, the testator stated that the petitioner and the respondents 6 and 7 are nephew and niece of the testator.



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4. The learned counsel for the respondent 2 and 3 submitted that the respondents 2 and 3 have no objection to grant probate in favour of the petitioner. The respondents 1, 4 to 7 inspite of service of notice on them, they kept themselves away from the proceedings. The consent affidavits of the respondents 1 to 7 are filed along with the O.P. for grant of probate in favour of the petitioner.

5. Mr.P.M.Sankaran, who was the first attesting witness to the said Will has been examined as PW2. He has spoken about the execution of the Will by the testator and its attestation by him and marked his affidavit as Ex.P5.

6. In view of the said evidence, the execution of Will stands proved. Hence, the Original Petition is allowed granting probate for the last Will and testament dated 13.10.2023.

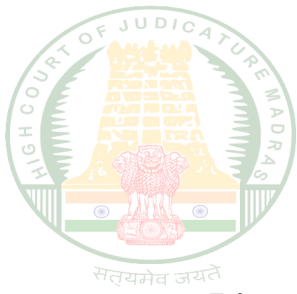
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Index :Yes/No

Neutral Citations: Yes/ No

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List of witnesses examined on the side of the petitioner:

PW1- Mr. Rajkumar Rajamani

PW2- Mr. P.M.Sankaran

List of documents marked on the side of the petitioner:

Ex.P1	Original Will executed by V.K.Natarajan dated 13.10.2023.
Ex.P2	Computer generated copy of death certificate of V.K.Natarajan who died on 20.10.2023.
Ex.P3	Computer generated copy of legal heirship certificate of V.K.Natarajan issued on 14.02.2024.
Ex.P4	Affidavit of assets showing the net value of the estate Rs.3,71,87,156/- dated 21.04.2025.
Ex.P5	Affidavit of 1 st attesting witness.
Ex.P6	Photocopy of the Aadhar card of mine.

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