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O.P.No.550 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **21.04.2025**

CORAM

THE HONOURABLE **MR.JUSTICE K.KUMARESH BABU**

O.P.No.550 of 2024

Deepankar Narayanan

...Petitioner

vs.

Nil

...Respondent

PRAYER: Original Petition filed under Sections 222 and 276 of the Indian Succession Act, XXXIX of 1925 read with Order XXV Rule 4 of the O.S. Rules, prays that he may be allowed to prove the Will in common form, and that probate thereof, to have effect throughout the whole of Union of India, may be granted to him.

For Petitioner : Mr.Hari Radhakrishnan

ORDER

This Original Petition has been filed for issuance of Probate for the Last Will and testament dated 14.01.2016 executed by Late.Mr.R.T.Narayanan, who died on 04.05.2021. The petitioner has been appointed as executor under the Will.

2. The petitioner is the only son and the only surviving legal heir of the

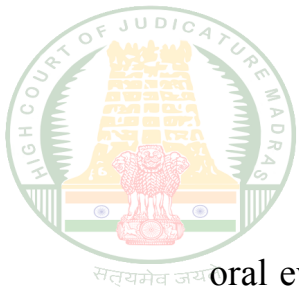


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testator. The petitioner submits that his mother and the wife of the deceased Late.Mrs.Nandini Narayanan predeceased the testator on 12.05.2019. The deceased had named his wife Late.Mrs.Nandini Narayanan as the life interest beneficiary and the petitioner as the absolute beneficiary for the properties mentioned in the schedule. Therefore the petitioner is the beneficiary named under the said Will.

3. The petitioner has been examined as PW1. He has produced the original will dated 14.01.2016 as Ex.P1. The computer generated death certificates of Late.Mr.R.T.Narayanan and Late.Mrs.Nandini Narayanan have been marked as Ex.P4 and Ex.P3. The Legal heirship certificate of testator has been marked as Ex.P5. From Ex.P1 it is clear that the petitioner is the executor and as well as the beneficiary named under the said Will

4. Mr.S.Balaji and Mrs.S.Lakshmi, who were the first and the second attesting witnesses to the said Will has been examined as PW2 and PW3. The attesting witnesses have spoken about the execution of the Will by the testator and its attestation by them and they have marked their affidavits as Ex.P15 and Ex.P17.



5. The assertions in the petition have been duly proved by adducing oral evidence supported by documents. In these circumstances, the petitioner is entitled to the relief.

6. In view of the said evidence, the execution of Will stands proved. Hence, the Original Petition is allowed granting probate of the last Will and testament dated 14.01.2016.

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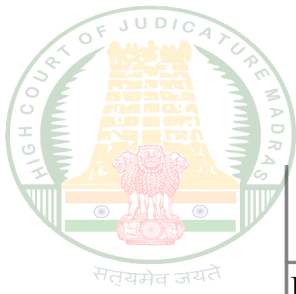
gba
Index :Yes/No

Petitioner's witness:

P.W.1 – Mr.Deepankar Narayanan
P.W.2 – Mr.S.Balaji
P.W.3 – Mrs.S.Lakshmi

Documents exhibited by the petitioners:

Exhibits	Documents
Ex.P1	Original Will dated 14.01.2016 executed by Mr.R.T.Narayanan.
Ex.P2	Computer generated death certificate of Mrs.Nandini Narayanan.
Ex.P3	Computer generated legal heirship certificate of Mrs.Nandini Narayanan.
Ex.P4	Computer generated death certificate of Mr.Rajagopal Thiruvikrama Narayanan.
Ex.P5	Computer generated legal heirship certificate of Mr.Rajagopal Thiruvikrama Narayanan.
Ex.P6	Online printout of guideline value of the property in respect



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	of the item No.1 of the schedule mentioned property in the petition.
Ex.P7	Online printout of guideline value of the property in respect of the Survey No.124 of the item No.2 of the schedule mentioned property in the petition.
Ex.P8	Online printout of guideline value of the property in respect of the Survey No.125 of the item No.2 of the schedule mentioned property in the petition.
Ex.P9	Certified copy of the sale deed dated 05.11.1990 executed in favour of Mr.R.T.Narayanan (Compared with the original)
Ex.P10	Certified copy of the sale deed dated 20.02.2013 executed in favour of Mr.R.T.Narayanan (Compared with the original)
Ex.P11	Certified copy of the sale deed dated 16.08.2010 executed in favour of myself and Mr.Rajagopal Thiruvikrama Narayanan.(Compared with the original)
Ex.P12	Certificate under Section 65 B of the Indian Evidence Act, 1872.
Ex.P13	Affidavit of assets showing the net value of the estate as Rs.80,87,520/-
Ex.P14	Photocopy of my Aadhaar Card (Compared with the original)
Ex.P15	Affidavit.
Ex.P16	Photocopy of my Aadhaar Card (Compared with the original)
Ex.P17	Affidavit.

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