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O.P.No.595 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **01.07.2025**

CORAM

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

O.P.No.595 of 2024

Dr.M.Palaniappan

...Petitioner

VS.

1.Mr.V.Balasubramanyam
2.Mr.V.S.Vishwanathan
3.Mrs.P.Sridevi
4.Mrs.S.Leelavathi
5.Mrs.Kasturi Eswaran
6.Mrs.Indumathi Krishnan
7.Mr.Y.V.Raman
8.Mrs.Jayasree Arumugam
9.Mrs.Mahalakshmi
10.Mr.Rohith YSS

...Respondents

PRAYER: Original Petition filed under Sections 222 and 276 of the Indian Succession Act, 1925, read with Order XXV Rule 4 of O.S.Rules, to prove the Will dated 14.01.2024 of the deceased Sri.Y.Ramakrishnan, in a common form and that Probate thereof to have effect throughout the State of Tamil Nadu, may be granted to the petitioner.

For Petitioner : Mr.Harshit S.Jain
For M/s.Rank Associates

For Respondents : Ms.M.Sandhiya
(For R1 to R10)



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ORDER

This Original Petition has been filed for issuance of Probate for the Last Will and testament dated 14.01.2024 executed by Late Mr.Y.Ramakrishnan, who died on 01.02.2024. The petitioner has been appointed as executor under the Will.

2. The petitioner submits that parents of the testator predeceased him and the testator died as a bachelor on 01.02.2024 leaving no immediate legal heirs behind him. The petitioner submits that the respondents 5, 6, 7 and 8 are the only surviving siblings of the testator. The respondents 1 to 4 are the legal heirs of Mrs.V.Arundathi, the predeceased sister of the testator and the 9th and 10th respondents are legal heirs of Mr.Y.Sriprakash, the predeceased brother of the testator. The 10th respondent who is the nephew of the testator through his predeceased brother Mr.Y.Sriprakash and the 7th respondent who is the brother of the testator are the only beneficiaries named in the said will. In accordance with the Will dated 14.01.2024, the 10th and 7th respondents are the only beneficiaries named for both the movable and immovable properties as described morefully in the Will. The 10th and 7th respondents are named as the joint beneficiaries for the immovable property described as



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Item No.1 under the Schedule 'B' of the petition and the 7th respondent is the sole beneficiary named for the immovable property described as Item No.2 under the Schedule 'B' of the petition.

3. The petitioner has been examined as PW1, he had produced 11 documents which are listed as Ex.P1 to Ex.P11 at the foot of the order. The Original Will dated 14.01.2024 executed by the testator had been marked as Ex.P1. The online copy of the death certificate of the testator has been marked as Ex.P2. From the perusal of Ex.P1 it can be substantiated that the petitioner has been appointed as the executor and both 10th and 7th respondents are the only beneficiaries named in the Will dated 14.01.2024. The general paper publications were verified and recorded as effected *vide* Master order 22.04.2025 and no objections were recorded as received.

4. Dr. Nellai Kumar, who was the first attesting witness to the said Will has been examined as PW2. The attesting witness had spoken about the execution of the Will by the testator and its attestation by him along with his son N.Srinivas, who signed as the 2nd attesting Witness.

5. The respondents 1 to 10 have expressed their consent to grant the probate of the Will in favour of the petitioner and their respective consent



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affidavits have been filed along with the petition. The service of notices upon the respondents 1 to 10 had been completed. The learned counsel for the respondents 1 to 10 appeared on behalf of them and had reiterated their respective consent affidavits.

6. 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.

7. 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 14.01.2024.

01.07.2025

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Index :Yes/No

Petitioner's witness:

P.W.1 – Dr.M.Palaniappan

P.W.2 – Dr.Nellai Kumar

Documents exhibited by the petitioners:

Exhibits	Documents
Ex.P1	Original Will of Sri.Y.Ramakrishnan dated 14.01.2024.
Ex.P2	Online copy of the Death Certificate of Sri.Y.Ramakrishnan dated 01.03.2024.
Ex.P3	Proof of Schedule A Property (Movables) (details of Dmart



	account and RC book) along with 65-B Certificate.
Ex.P4	Photocopy of Sale deed in Doc.No.262 of 1961 (Proof of Schedule B item 1) dated 06.02.1961.
Ex.P5	Photocopy of Release Deed in Doc.No.1582 of 2008 (Proof of Schedule B Item 1) dated 09.07.2008.
Ex.P6	Photocopy of Sale Deed in Doc.No.1414 of 1995 (Proof of Schedule B Item 1) dated 05.06.1995.
Ex.P7	Photocopy of Patta in Patta No.999 dated 10.01.1996.
Ex.P8	Photocopy of Acknowledgement sent to the Testator by M/s.Green Peace Landscapes (P) Ltd dated 19.04.1996.
Ex.P9	Photocopy of Chitta dated 05.02.1996.
Ex.P10	Photocopy of Adangal dated 05.02.1996.
Ex.P11	Photocopy of Kist Receipt dated 10.02.1996.

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