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O.P.No.609 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **12.02.2025**

CORAM

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

O.P.No.609 of 2024

Harikumar

... Petitioner

Vs

1.Padmalatha Suresh

2.Premaltha Ramanathan

..Respondents

PRAYER: Original Petition filed for Probate under Section 222 and 276 of Indian Succession Act, 1925 r/w. Order XXV Rule 4 of Original Side Rules, prays to allow the petitioner to prove the Will dated 31.03.2002 in common form and that probate thereof to have effect throughout the State of Tamil Nadu.

For Petitioner : M/s.Sowjanya
for M/s.G.R.Associates

For Respondents : Mr.Krishna
for M/s.Varun Ganesh for R1 & R2.



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ORDER

This Original Petition has been filed for issuance of Probate for the Last Will and testament dated 31.03.2002 executed by Late.V.P.Meenakshi, who died on 27.07.2018.

2. The petitioner and respondents are the children of the testatrix and the only surviving legal heirs of the testatrix since, her husband predeceased her. The respondents have filed their consent affidavits expressing their consent for grant of probate.

3. The petitioner has examined himself as PW1. He has produced the death certificates of Late.V.P.Meenakshi and testatrix's husband as Ex.P9 and Ex.P8. The original will dated 31.03.2002 as Ex.P7. The legal heir certificate of the testatrix as Ex.P10. On perusal of Ex.P10, it shows that the petitioner and respondents are the only surviving legal heirs of the testatrix.

4. Mr.C.Vidyashankar, who is the second attesting witnesses to the said Will has been examined as PW2. The attesting witness had spoken



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about the execution of the Will by the testatrix and its attestation by him and
marked his affidavit as Ex.P14.

5. 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 31.03.2002.

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Index :Yes/No

Speaking: Yes/ No

Neutral Citation: Yes/No

Petitioner's witness:

P.W.1 —Mr.B.Harikumar

P.W.2 – Mr.C.Vidyashankar

Documents exhibited by the petitioner :

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Photocopy of the sale deed dated 27.10.1947 executed in favour of Mr.S.Pranthathiharan (Compared with the original)
Ex.P2	Photocopy of the death certificate of Mr.s.P.Haran (Compared with the original)
Ex.P3	Photocopy of the death certificate of Mrs.Kamakshi (Compared with the original)
Ex.P4	Photocopy of the legal heir ship certificate of Mrs.Kamakshi (Compared with the original)



<i>Exhibits</i>	<i>Documents</i>
Ex.P5	Photocopy of the registered gift deed dated 22.03.1996 executed by Mrs.V.P.Meenakshi in favour of Mrs.Premalatha Ramanathan (Compared with the original)
Ex.P6	Photocopy of the registered gift deed dated 22.03.1996 executed by Mrs.V.P.Meenakshi in favour of Mrs.Padmalatha Suresh (Compared with the original)
Ex.P7	Original unregistered Will dated 31.03.2002 executed by Mrs.V.P.Meenakshi
Ex.P8	Photocopy of the death certificate of Mr.V.Balakrishnan (compared with original)
Ex.P9	Computer generated death certificate of Mrs.V.P.Meenakshi
Ex.P10	Computer generated legal heir ship certificate of Mrs.V.P.Meenakshi
Ex.P11	Downloaded copy of the market value of the schedule mentioned property
Ex.P12	Affidavit of assets showing the net value of the estate as Rs.7,04,19,755/-
Ex.P13	Certificate under Section 65B of the Indian Succession Act, 1872
Ex.P14	Affidavit of PW2
Ex.P15	Photocopy of Aadhar card of PW2

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