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O.P.No.696 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **17.04.2025**

CORAM

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

O.P.No.696 of 2024

Aravapalli Venkata Krishna Srinivasa Rao

...Petitioner

vs.

1.Suseela.B

2.Jaya Ram Sumanth.B

3.Bolisetty Atulitha

...Respondents

PRAYER: Original Petition filed under Section 222 and 276 of the Indian Succession Act (Act XXXIX) of 1925 read with Order XXV, Rule (4) of the O.S. Rules, 1956, prays that this Hon'ble Court may kindly be pleased to allow the petitioner to prove the last Will and Testament dated 28.02.2023, executed by deceased Mr.Chander Sekar B.G in common form and that probate thereof to have effect throughout the State of Tamil Nadu may be granted to the petitioner.

For Petitioner : Mr. D.Vijay Krishna

For Respondents : Ms.Sangeetha.S

**ORDER**

This Original Petition has been filed for issuance of Probate for the Last Will and testament dated 28.02.2023 executed by Late.Mr.Chander Sekar.B.G, who died on 08.03.2023. The petitioner has been appointed as executor under the Will.

2. The petitioner is the brother of the testator. The first respondent is the wife whereas the second and third respondents are the children of the testator. The first respondent is named as the only beneficiary under the said Will. The counsel for the respondents 1 to 3 have appeared on behalf of the respondents, expressing their consent to grant of probate of the said Will.

3. The petitioner has been examined as PW1. He has produced the original will executed by the testator as Ex.P1. The certified copy of the death certificate of the testator has been marked as Ex.P2. The certified copy of the Legal heir certificate of testator has been marked as Ex.P3. From the perusal of the Ex.P1 it is clear that the petitioner has been appointed as the executor of the said Will.



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4. Mr.Jayaram Sumanth the second respondent, who is the first attesting witness to the will and Ms. Bolisetty Atulitha the third respondent, who is the second attesting witness are 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 have marked their affidavits as Ex.C1 and Ex.C2.

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 28.02.2023.

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Index :Yes/No



Petitioner's witness:

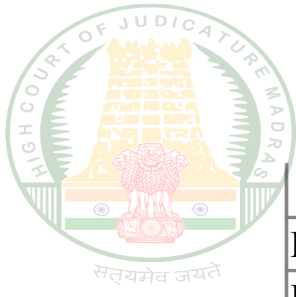
P.W.1 – Mr.Aravapalli Venkata Krishna Srinivasa Rao

P.W.2 – Mr.Jayaram Sumanth

P.W.3 – Mr.Bolisetty Atulitha

Documents exhibited by the petitioner:

Exhibits	Documents
Ex.P1	Original Will executed by the deceased Mr.Chander Sekar.B.G. Dated 28.02.2023.
Ex.P2	Online Certified copy of the Death Certificate of Mr.Chander Sekar.B.G. Dated 17.03.2023.
Ex.P3	Online certified copy of the Legal Heir Certificate of the deceased Mr.Chander Sekar.B.G. Dated 05.01.2024.
Ex.P4	Photocopy of the Aadhar card of the petitioner.(Original produced verified compared and returned)
Ex.P5	Online certified copy of the Settlement deed in favour of the deceased Mr.Chander Sekar.B.G. Bearing document No.1196 of 2007 registered before SRO, Periamet dated 30.03.2007.
Ex.P6	Online certified copy of the document No.1870 of 1997 sale executed in favour Mr.Chander Sekar.B.G dated 19.12.1997.
Ex.P7	Online certified copy of the Document No.960 of 2017 executed in favour of the deceased Mr.Chander Sekar.B.G dated 11.09.2017.
Ex.P8	Online certified copy of the Ratification deed bearing document No.1025 of 2023 executed in favour of the deceased Mr.Chander Sekar.B.G. Dated 12.02.2020.
Ex.P9	Certified copy of the Account Statement of Pending mortgage loan bearing in A/c.No.LBCHE00004642391 in ICICI Bank dated 11.07.2023.
Ex.P10	Certified copy of the Account Statement of Pending mortgage loan bearing in A/c.No.LBCHE00004978008 in



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	ICICI Bank dated 11.07.2023.
Ex.C1	Affidavit of attesting witness in Ex.P1 Will for consent.
Ex.C2	Affidavit of second attesting witness in Ex.P1 Will for consent.

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K.KUMARESH BABU, J.



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