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O.P. No.680 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.12.2025

CORAM :

THE HONOURABLE MR.JUSTICE P.DHANABAL

O.P. No.680 of 2024

R.G.Tamilarasi Baallasai
D/o P.R.Rajagopal

... Petitioner

Vs.

P.R.Rajagopal
S/o Rangaraju

... Respondent

PRAYER: Original Petition is filed under Sections 222 and 276 of the Indian Succession Act 1925 r/w Order XXV Rule 4 of Madras High Court Original Side Rules for issuing Probate.

For Petitioner : Mr. N.V.R.Suresh

ORDER

This petition has been filed under Section 222 and 276 of the Indian Succession Act read with Order XXV Rule 4 of Madras High Court Original Side Rules seeking to grant Probate of the Will dated 15.11.2016 executed by Late Mrs.R.Rani Rajagopal @ R.Ranni Rajagopal to have effect limited to the State of Tamil Nadu.



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2. According to the petitioner, she is the daughter of the testatrix Mrs.R.Rani Rajagopal @ R.Ranni Rajagopal and the respondent is the husband of the testatrix. The testatrix was the absolute owner of the properties described in Item Nos. I to III. The said properties were purchased by the testatrix during her lifetime. The testatrix executed a Will dated 15.11.2016 and the petitioner is the sole beneficiary of the Will herein. executed by the testatrix Late Mrs.R.Rani Rajagopal @ R.Ranni Rajagopal. Thereafter, the testatrix died on 13.10.2019 leaving behind the petitioner and the respondent as the only legal heirs. The market value of the schedule mentioned properties would not exceed Rs.1,04,50,000/-.

3. The testatrix had appointed the petitioner as the executor of the Will and she is the beneficiary of the said Will. Except the petitioner and the respondent, there are no other next of kin to the testatrix to be impleaded. The respondent has given his consent by filing affidavit that he has no objection to grant probate in favour of the petitioner. The attesting witnesses in the Will have been examined and they have also stated that the testatrix had executed the Will in a sound state of mind and hale and healthy.



4. The amount of assets which is likely to come to the petitioner's hand does not exceed in the aggregate sum of Rs.1,04,50,000/-. The petitioner had undertaken to duly administer the specified properties and credits of the deceased in any way concerned her Will by paying the debts first and then the legacies therein bequeathed so far as the assets will extend and to make full and true inventory thereof and exhibits the same in this Court within the six months from the date of the grant of probate to the petitioner and also to render to this Court a true account of the said property within one year from the said date.

5. In order to prove the claim of the petitioner, PW1 to PW3 were examined on the side of the petitioner and Ex.P.1 to Ex.P.14 were marked and Ex.C1 to Ex.C.3 were also marked. The petitioner was examined as P.W.1, the Second Attesting Witness, Ms.M.Panchatcharam was examined as P.W.2 and Mr.V.Natarajan, First Attesting Witness was examined as P.W.3.

6. PW1, the petitioner herein, in her evidence had narrated the averments made in the petition stating that she has filed this petition for grant of Probate of the Last Will and Testament executed by the deceased Late Mrs.R.Rani Rajagopal @ R.Ranni Rajagopal on 15.11.2016. The said



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Will and testament has been marked as 'Ex.P.1'. PW2, in her evidence, had stated that the testatrix had executed a Will dated 15.11.2016 and she was the second attesting witness at the time of execution of Will. She has also identified the signature of the testatrix in the Will. Further, P.W.3, who is the First Attesting witness had stated that the testatrix had executed a Will dated 15.11.2016 and he was the first attesting witness at the time of execution of Will. Therefore, the execution of the Will and attestation are duly proved in accordance with law.

7. From the averments made in the petition and the depositions of PW1 to PW3 supported by the documents, it is clear that the petitioner has proved her claim and there is no contra evidence. Hence, this Court is satisfied that the petitioner is entitled to the relief as prayed for in the petition.

8. In the result, the Original Petition is **allowed** and the Will executed by Late Mrs.R.Rani Rajagopal @ R.Ranni Rajagopal dated 15.11.2016 is hereby probated.

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Index : Yes/No
Speaking Order : Yes/No
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APPENDIX:

List of Petitioner side Witnesses:

PW1 : Mrs. R.G.Tamilarasi Baallasai
PW2 : Ms.M.Panchatcharam
PW3 : Mr. V.Natarajan

List of Petitioner side Documents:

Exhibit No.	Date	Description of Documents.
Ex.P.1	15.11.2016	Original Last Will and Testament of Late Mrs.R.Rani Rajagopal
Ex.P.2	11.11.2019	Online copy of death certificate of Mrs.R.Ranni Rajagopal
Ex.P.3	05.11.2019	Online copy of the death certificate of Mrs.R.Ranni Rajagopal
Ex.P.4	29.07.1998	Photocopy of the Tamilnadu Government for adding a letter 'n' in the name of Settlement Deed in favour of Mrs.R.Rani Rajagopal
Ex.P.5	25.01.2014	Online copy of birth certificate of the petitioner R.G.Tamilarasi Baallasai
Ex.P.6	15.11.2020	Online copy of the death certificate of the testatrix's elder sister Ms.Baby Ammal d/o Singaram
Ex.P.7	10.02.1989	Photocopy of the settlement deed in favour of Mrs.R.Rani
Ex.P.8	12.10.2000	Photocopy of the Sale deed in favour of Mrs.R.Rani w/o P.R.Rajagopal
Ex.P.9	-	Photocopy of the property tax receipt from Greater Chennai Corporation for Door No.25-A, New No.2, Bhajanai Kovil Street, Villivakkam, Chennai



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Ex.P.10	01.02.2024	Photocopy of the latest property tax receipt from Greater Chennai Corporation, No.15446, New No.15/10, 'D' Type, 15 th Cross Street, Thiru Nagar, Villivakkam, Phase III, Villivakkam, Ch-49
Ex.P.11	07.02.2024	Photocopy of the water & sewerage tax cum charges / services card issued by Chennai Metropolitan Water Supply and Sewerage Board for Door No.25-A, New No.2, Bajanai Koil Street, Villivakkam, Chennai – 600 049
Ex.P.12	07.02.2024	Photocopy of the Water & Sewerage Tax cum charges / services card issued by Chennai Metropolitan Water Supply and Sewerage Board for No.15/46, New No.15/10, 'D' Type, 12 th Cross Street, Thiru Nagar, Villivakkam, Phase III, Villivakkam, Chennai – 49
Ex.P.13	18.03.2024	Office copy of the legal notice to both the witnesses with postal receipts (2 Nos)
Ex.P.14	19.03.2024	Acknowledgement cards

List of Court documents:

Exhibit No.	Date	Description of Documents.
Ex.C.1	01.02.2025	Paper Publication of English Edition Trinity Mirror
Ex.C.2	25.01.2025	Paper Publication of the Tamil Edition Makkal Kural
Ex.C.3	25.07.2024	Consent affidavit of the respondent P.R.Rajagopal

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