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O.P.No.113 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **14.03.2025**

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

O.P.No.489 of 2024

1.Mr.Vatsyayan Sridhar
2.Ms.Priyanka Venugopal

...Petitioners

vs.

1.Mrs.Usha
2.Mr.Venugopal

...Respondents

PRAYER: Original Petition filed for Probate under Sections 222 & 276 of Indian Succession Act, 1925, read with Order XXV Rule 4 of Madras High Court Original Side Rules, praying that this Hon'ble Court may be pleased to allow the petitioners to prove the WILL and Testament of the deceased N.V.SUBRAMANIAN dated 17.04.2017 in common form and that Probate thereof to have effect throughout the State of Tamil Nadu may be granted to the petitioners.

For Petitioners : Mr.N.Raja Senthoo Pandian

For Respondents : Ms.R.V.Rukmani
For M/s.P.B.Ramanujam Associates



ORDER

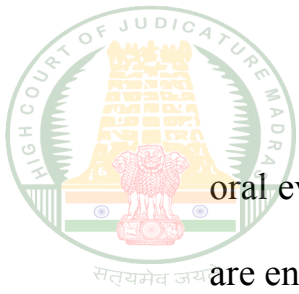
This Original Petition has been filed for issuance of Probate for the Last Will and testament dated 17.04.2017 executed by Late.N.V.Subramanian, who died on 02.04.2022. The petitioners have been appointed as executors under the Will.

2. The petitioners are the executors under the Will. The first respondent is the niece of the testator through his wife's brother S.R.Rajagopalan and the second respondent is the niece's husband. The respondents are the beneficiaries under the Will.

3. The first petitioner has been examined as PW1. He has produced the death certificates of testator and his wife as Ex.P3 and Ex.P4. The original will dated 17.04.2017 as Ex.P2. On perusal of Ex.P2, it shows that the respondents are the beneficiaries under the will and the testator and his wife died issueless. The learned counsel for the respondents submitted the consent affidavit to grant probate.

4. Mrs.Revathi Sridhar, who was the second 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 her.

5. The assertions in the petition have been duly proved by adducing



oral evidence supported by documents. In these circumstances, the petitioners are entitled to the relief.

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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 17.04.2017.

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Index :Yes/No

Petitioner's witness:

P.W.1 - Mr.S.Vatsyayan Sridhar

P.W.2 – Mrs.Revathi Sridhar

Documents exhibited by the petitioners:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Certified copy of the Sale Deed Document No.1173 of 1976 in favour of deceased N.V.Subramanian dated 18.10.1976.
Ex.P2	Original Will executed by deceased N.V.Subramanian attested by two witness was registered as document No.5 of 2017 on the file of the Office of the Sub-Registrar, Chennai Central Joint – I dated 17.04.2017.
Ex.P3	Printout of the Death certificate of deceased N.V.Subramanian dated 22.04.2022.
Ex.P4	Printout of the Death certificate of deceased R.Sundari dated 03.11.2022.
Ex.P5	Printout of the Property Tax Bill receipt in the name of N.V.Subramanian dated 14.04.2023.
Ex.P6	Printout of the TANGEDCO bill receipt in the name of deceased



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<i>Exhibits</i>	<i>Documents</i>
	N.V.Subramanian dated 30.04.2023.
Ex.P7	Photocopy of the First Petitioner's Aadhar Card (Compared with original) (The learned counsel for the respondent submitted that already consent affidavit given, agreeing for the probate.

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