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O.P.No.782 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **15.04.2025**

CORAM

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

O.P.No.782 of 2024

R.Vijaya

...Petitioner

vs.

R.Jayashankar

...Respondent

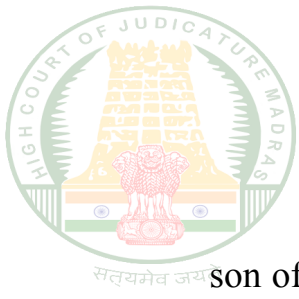
PRAYER: Original Petition filed under Section 222 and 276 of Indian Succession Act read with Order XXV Rule 4 for grant of Probate with the Will annexed, prays that the petitioner may be allowed to prove the will in common form and that probate thereof, to have effect throughout the whole of the Union of India may be granted to her.

For Petitioner : Mr.V.Athi Kesavan

For Respondent : Mr.R.Jayashankar
(Party-in-person)

ORDER

This Original Petition has been filed for issuance of Probate for the Last Will and Testament dated executed by Late.Mr.R.Ranganathan, who died on 08.11.2010. The petitioner has been appointed as executor under the Will.



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2. The petitioner is the wife of the testator and the respondent is the son of the testator. The petitioner is the sole beneficiary named under the said Will executed by the testator. The service of notice has been completed upon the respondent and he has appeared as party in person and has expressed his consent to grant of probate in favour of the petitioner.

3. The petitioner has been examined as PW1. She has produced the original will dated 01.11.2020 as Ex.P1. The computer generated death certificate of the testator Late.Mr.R.Ranganathan has been marked as Ex.P28. The Legal heir certificate of testator has been marked as Ex.P29. From Ex.P29, it is clear that the petitioner and the respondent are the only surviving heirs of the testator.

4. The respondent has examined himself as RW1. He has given the consent to the grant of probate in favour of the petitioner and has also filed a consent affidavit which has marked as Ex.R1.

5. Mr.J.Raghavan and Mr.R.Chandrasekaran, who were the second and the first attesting witness to the said Will have been chief 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 the first attesting witness has marked his affidavit as Ex.P31.

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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 08.11.2010.

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Index :Yes/No

Petitioner's witness:

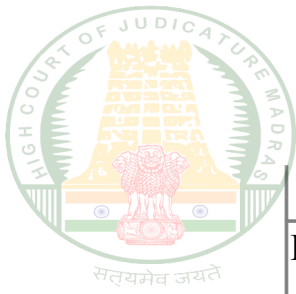
P.W.1 – Mrs.R.Vijaya
P.W.2 – Mr.J.Raghavan
P.W.3 – Mr.R.Chandrasekaran



Documents exhibited by the petitioners:

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Exhibits	Documents
Ex.P1	Original Will executed by R.Ranganathan dated 01.11.2020.
Ex.P2	Photocopy of the sale deed dated 04.09.1981.
Ex.P3	Photocopy of the Will executed by Rajam Iyer dated 12.11.2003.
Ex.P4	Photocopy of the Indian Bank pass book for account No.443587447.
Ex.P5	Photocopy of the Indian Bank pass book for account No.428195992.
Ex.P6	Photocopy of the Indian Bank pass book for account No.460902232.
Ex.P7	Photocopy of the Indian Bank pass book for account No.602739390.
Ex.P8	Photocopy of the Indian Overseas Bank pass book for account No.087601000008698.
Ex.P9	Photocopy of the Central Bank of India pass book for account No.1040415761.
Ex.P10	Photocopy of the Oriental Bank of Commerce (currently Punjab National Bank) pass book for account No.10632151000454.
Ex.P11	Photocopy of the Post Office Savings Scheme receipt 4216619155.
Ex.P12	Photocopy of the Post Office Savings Scheme receipt 4218302130.
Ex.P13	Photocopy of the Post Office Senior Citizen Savings Scheme receipt 4222236346.
Ex.P14	Photocopy of the Post Office Senior Citizen Savings Scheme receipt 4239302317.
Ex.P15	Photocopy of the Post Office Senior Citizen Savings

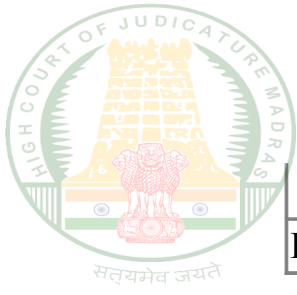


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	Scheme receipt 4225228508.
Ex.P16	Photocopy of the Indian Bank (Term Deposit) receipt 6917208199.
Ex.P17	Photocopy of the Indian Bank, Besant Nagar (Senior Citizen Scheme) receipt 6841260833.
Ex.P18	Photocopy of the Lakshmi Villas Bank, Adyar, Chennai receipt 0441122000043581/3.
Ex.P19	Photocopy of the Tamil Nadu Power Finance Corporation receipt CAA 707688.
Ex.P20	Photocopy of the Tamil Nadu Power Finance Corporation receipt CAA 707687.
Ex.P21	Photocopy of the Life Insurance Corporation of India, Pradanmanthri Vaya Vadana Yojana Policy No.707491900.
Ex.P22	Photocopy of the Life Insurance Corporation of India, Pradanmanthri Vaya Vadana Yojana Policy No.304683589.
Ex.P23	Photocopy of the Life Insurance Corporation of India, Pradanmanthri Vaya Vadana Yojana Policy No.316494679.
Ex.P24	Photocopy of the BNP Paribas Dividend Yield Fund – Dividend Folio No.900000554434.
Ex.P25	Photocopy of the Axis Long Term Equity fund – Dividend Folio No.90524209462.
Ex.P26	Photocopy of the Geojit Financials Services Ltd., Statement.
Ex.P27	Form of valuation filed under Section 55 of the Tamil Nadu Court Fee and Suit Valuation Act, 1955 wherein the net value of the estate Rs.2,14,89,949.74/-
Ex.P28	Computer generated copy of the Death Certificate of R.Ranganathan issued on 19.11.2020.
Ex.P29	Computer generated copy of the Legal Hire Certificate of R.Ranganathan dated 05.01.2021.
	Affidavit under Section 65 B of Indian Evidence Act is filed for Exs.P28 and P29.
Ex.P30	Photocopy of the Aadhar card of the 2 nd attesting witness is



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	marked as Ex.P30.
Ex.P31	Affidavit.

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Respondent's witness:

R.W.1 – Mr.R.Jayashankar

Documents exhibited by the Respondents:

Exhibits	Documents
Ex.R1	Consent Affidavit.
Ex.R2	Photocopy of Aadhar Card.

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