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O.P.No.311 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **17.09.2025**

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

OP No.311 of 2025

1.Dr.M.Satyajit

2.Dr.T.Vaidehi

...Petitioners

Vs.

1.N.Nagarajan
2.N.Gururajan
3.Sri Sathya Sai Trust – Tamil Nadu,
No.7, Sundaram Salai,
R.A.Puram,
Chennai – 600 028.
Rep. by its Trustee,
Mr.B.Ramesh

...Respondents

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

For Petitioner(s) :

Mr.S.Anand

For Respondent(s) :

Mr.G.Balasubramaniam

for R1 to R3



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ORDER

WEB COPY This original petition has been filed under Sections 222 and 276 of the Indian Succession Act, 1925, and Order XXV Rule 4 of the Madras High Court Original Side Rules, seeking to grant Probate of the Will dated 06.04.2023 executed by the late Mrs. Shantha Krishnamoorthy W/o. Krishnamoorthy, in favour of the petitioners to have effect limited to the State of Tamil Nadu.

2. According to the petitioners, the deceased/testatrix, Mrs. Shantha Krishnamoorthy, W/o. Krishnamoorthy, died on 21.04.2023. During her lifetime, she executed a Will dated 06.04.2023 in favour of the petitioners. The said Mrs. Shantha Krishnamoorthy, is the absolute owner of the property. Therefore, she executed the Will in favour of the petitioners. The testatrix/deceased has no children and the petitioners have impleaded all the next of kin of the testatrix and other persons interested as respondents, and there is no next of kin or other persons interested to be impleaded. The respondents also have no objection. Therefore, the petitioners filed this petition.

3. After the filing of this petition, this Court directed the petitioners to



effect paper publication, and the same was also effected and thereafter no objection was received from any party. Thereafter, the case was posted for recording evidence, and the evidence was also recorded. On the side of the petitioners, P.W.1 and P.W.2 were examined and Exs.P1 to P6 were marked.

4. The original Will dated 06.04.2023 has been marked as Ex.P5. The photocopy of the death certificate of Mrs.Shantha Krishnamoorthy dated 05.05.2023, has been marked as Ex.P1. The photocopy of the Sale Deed registered as Doc.No.1072 of 1995 in SRO Thiruvallangadu dated 23.05.1995 has been marked as Ex.P4.

5. P.W.1 had deposed about the purchase of the property, execution of the Will and the death of the deceased/testatrix, Mrs.Shantha Krishnamoorthy, W/o.Krishnamoorthy. P.W.2 is the attesting witness of the Will and he categorically deposed about the execution and attestation of the Will. Therefore, the Will dated 06.04.2023 has been proved in accordance with law. The respondents also have no objection. As per the Will dated 06.04.2023, the petitioners were appointed as executors, and hence, the petitioners are entitled to the relief as prayed for in this petition.



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WEB COPY 6. As a result, the Original Petition is *allowed* and the Will dated 06.04.2023 executed by the deceased/testatrix, Mrs.Shantha Krishnamoorthy, W/o. Krishnamoorthy, is hereby probated.

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Index : Yes/No

Speaking Order : Yes/No

List of Petitioners side Witnesses:

P.W.1 : Dr.M.Satyajit
P.W.2 : Mr.M.Ravikumar

List of Petitioners side Documents:

Ex.P1 : The photocopy of the death certificate of Mrs.Shantha Krishnamoorthy dated 05.05.2023.

Ex.P2 : The photocopy of the Aadhaar Card of the petitioner.

Ex.P3 : The Photocopy of Sale Deed registered as Doc No.681 of 1987 in SRO Thiagaraja Nagar dated 25.04.1997.

Ex.P4 : The Photocopy of the Sale Deed registered as Doc No.1072 of 1995 in SRO Thiruvallangadu dated 23.05.1995.



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Ex.P5
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: The Original Will executed deceased Shantha
Krishnamoorthy dated 06.04.2023.

Ex.P6

: The photocopy of the Aadhaar Card of the attesting
witness.

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P. DHANABAL,J.

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