



O.P.No.20 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 21.01.2025

Coram:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

ORIGINAL PETITION NO.20 of 2024

Mrs.Uma Rangarajan

.. Petitioner

/versus/

1.Aniruddh Rangarajan

2.Abinand Rangarajan

.. Respondents

Prayer: Original Petition has been filed under Sections 222 and 276 of the Indian Succession Act of 1925 read with under Order XXV, Rule 4 of the Original Side Rules, praying that the petitioner may be allowed to prove the Will in common form and that probate thereof, to have effect limited to the State of Tamil Nadu may be granted to the petitioner.

For Petitioners :Mr.V.Manohar



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ORDER

The Executor named in the last Will of K.E.Rangarajan, is before this Court seeking Probate of the Will.

2. The property covered under the Will was originally owned by K.E.Srinivasan, who is none other than the brother of the petitioner's husband. The said K.E.Srinivasan, died on 19.03.1994 and the property devolved equally on his mother K.E.Chellammal, his wife Chitra Srinivasan @ Lalitha Srinivasan and his daughter Lakshmi Jagadeesh. His mother K.E.Chellammal through Will dated 22.09.1995 bequeathing her 1/3rd share in the property in favour of K.E.Rangarajan. During his life time, he became the co-owner of the property thereby entitled to an undivided 1/3rd share in the said property. The said Rangarajan along with Chitra Srinivasan @ Lalitha Srinivasan and Lakshmi Jagadeesh entered into a development agreement with the promoters and got three flats (each one flat). The suit schedule property is the flat allotted to Rangarajan. During the life time, the



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said Rangarajan executed the subject Will appointing his wife as Executor bequeathing the property to his brother's daughter Lakshmi Jagadeesh.

3. The reading of the Will reveals that the said Will of Rangarajan, who inherited the property from his mother, had desired to bequeath his property to his brother's daughter Lakshmi Jagadeesh, D/o K.E.Srinivasan and the said Rangarajan has appointed his wife as an Executor to carry out his wishes. Two sons of late K.E.Rangarajan are shown as respondents and they have given consent for the grant of Probate in favour of the petitioner herein.

4. To prove the execution of the Will, the petitioner Uma Rangarajan was examined as PW-1, marking the following eight exhibits.

Exhibits	Details
Ex.P1	Original Will dated 09.09.2017 executed by Mr.K.E.Rangarajan.
Ex.P2	Computer generated death certificate of Mr.K.E.Rangarajan.
Ex.P3	Computer generated legal heir ship certificate of



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Exhibits	Details
	Mr.K.E.Rangarajan.
Ex.P4	Certified copy of Will dated 22.09.1995 executed by Mrs.K.E.Chellammal.
Ex.P5	Photocopy of the probate order dated 31.03.1997 in O.P.No.407 of 1996 granted by this Hon'ble High Court.
Ex.P6	Affidavit of assets showing the net value of the estate as Rs.74,98,500/-.
Ex.P7	Photocopy of PW-1 Aadhaar card.
Ex.P8	Certificate under Section 65B of the Indian Evidence Act, 1872.
Ex.P9	PW-2's affiavit as attesting witness.
Ex.P10	The photocopy of PW-2 's Aadhaar card.

5. One of the attesting witness Mr.A..Muthukumar, was examined as PW-2 and he has deposed about due execution of the Will of K.E.Rangarajan in his presence and in the presence of another witness by name S.Vijay. The affidavit of the attesting witness(PW-2) is marked as Ex.P9.



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6. Considering the evidence placed before the Court and the resital found in the Will of K.E. Rangarajan, dated 09.09.2017 marked as Ex.P1, this Court grant Probate in favour of the petitioner.

7. Accordingly, this Original Petition is allowed as prayed for. Grant of Probate in respect of the last Will of K.E.Rangarajan, in favour of the petitioner. The petitioner is directed to render true and correct accounts once in six months and one year.

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Index:yes/no
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Petitioners' witness:-

P.W.-1 :Mrs.Uma Rangarajan
P.W-2 :Mr.A.Muthukumar



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Documents marked:-

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