



WEB COPY

O.P.No.13 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **28.03.2025**

CORAM

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

O.P.No.13 of 2025

1.V.Sankar
2.C.Ramesh

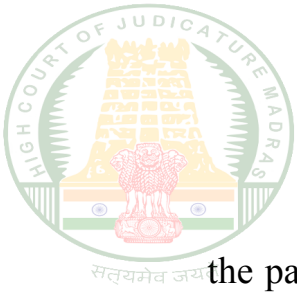
...Petitioners

PRAYER: Original Petition filed under Section 222 & 276 of the Indian Succession Act XXXIX of 1925 read with Order XXV Rule 4 of O.S. Rules, praying that petitioners may be permitted to prove the Will in common form and that Probate thereof to have effect throughout the State of Tamilnadu may be granted to them.

For Petitioners : Mr.K.Harishankar

ORDER

This Original Petition has been filed for issuance of Probate for the Last Will and testament dated 02.01.2008 executed by Late.Dr.Ms.P.S.Thulasi, who died on 10.06.2024. The petitioners have been appointed as the executors under the above said Will.



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2. The petitioners state that testatrix died as a spinster on 10.06.2024, the parents of the testatrix predeceased her. None of the beneficiaries named under the said will dated 02.01.2008 are blood related to the testatrix.

3. The first petitioner has been examined as PW1. He has produced the original will registered as Doc.No.3 of 2008 dated 02.01.2008 as Ex.P4. The death certificate of Late.Dr.Ms.P.S.Thulasi has been marked as Ex.P9. Further on perusal of examination of PW1 and Ex.P4 its clear that the petitioner has been appointed as executor.

4. Mr.V.Kumar, who was the first attesting witness to the said Will has been chief examined as PW2. The attesting witness had spoken about the execution of the Will by the testatrix and its attestation by him and the second attesting witness and marked his affidavit as Ex.C1.

5. 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.

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 02.01.2008.

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Index :Yes/No

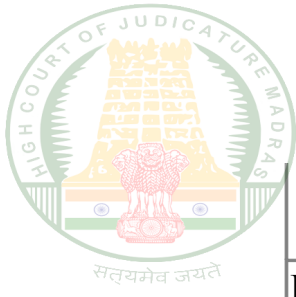
Petitioner's witness:

P.W.1 – Mr.V.Sankar

P.W.2 – Mr.V.Kumar

Documents exhibited by the petitioners:

Exhibits	Documents
Ex.P1	Photocopy of the Sale deed in favour of the Testatrix Dr.P.S.Thulasi dated 28.05.1974. (Original produced, compared and returned)
Ex.P2	Certified copy of the Sale deed in favour of the Testatrix Dr.P.S.Thulasi dated 09.06.1988.
Ex.P3	Photocopy of the Sale deed in favour of the Testatrix Dr.P.S.Thulasi dated 18.09.1997 (Original produced, compared and returned)
Ex.P4	Original Will registered as Doc.No.3 of 2008 in the office of the Sub-Registrar Royapuram executed by Dr.P.S.Thulasi dated 02.01.2008.
Ex.P5	Photocopy of the Fixed Deposit Receipt in Canara Bank Account No.0931404001029/8 dated 25.02.2019. (Original produced, compared and returned)
Ex.P6	Photocopy of the Fixed Deposit Receipt in Canara Bank Account No.0931404000957/12 dated 30.03.2023. (Original produced, compared and returned)
Ex.P7	Photocopy of the Fixed Deposit Receipt in Canara Bank



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	Account No.0931404000958/7 dated 09.04.2018. (Original produced, compared and returned)
Ex.P8	Photocopy of the Pass Book for the account in Canara Bank for the period from 30.04.2024 to 16.05.2024. (Original produced, compared and returned)
Ex.P9	Online copy of the Death Certificate of Dr.P.S.Thulasi dated 15.06.2024.

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K.KUMARESH BABU, J.

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