



O.P.No.203 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-06-2026

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THE HON'BLE DR.JUSTICE A.D.MARIA CLETE

OP No. 203 of 2025

B.Kalpana,
W/o.Mr.P.Sriyutha Murthy,
No.39, II Avenue, DAE Township,
Kalpakkam 603102.

..Petitioner(s)

Vs

1.P.Sriyutha Murthy
S/o.P.Vasudevan,
No.39, II Avenue, DAE Township,
Kalpakkam 603102.

2.Mr.P.Devaludu,
Son of Mr.P.Balaram Naidu,
No.1469/115, Garden Avenue,
VTC, Mogappair,
Chennai 600037.

..Respondent(s)

Original Petition filed praying that she shall be allowed to prove the last Will and testament dated 23.03.2017 of deceased testatrix Ms.P.Manjuvani in common form and that probate thereof to have effect throughout the state of Tamil Nadu may be granted to the petitioner and thus render justice.

For Petitioner(s): Mr.G.Ashokapathy for
M/s.Pass Associates.

For Respondent(s): Mr.M.Abdul Wafiq for R1 & R2.



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ORDER

This Original Petition has been filed under Sections 222 and 276 of the Indian Succession Act, 1925, read with Order XXV Rule 4 of the Original Side Rules, seeking probate of the last Will and testament dated 23.03.2017 executed by the deceased testatrix, Ms. P. Manjuvani.

2. The petitioner states that the testatrix, Ms. P. Manjuvani, daughter of late P. Balaram Naidu, died on 09.10.2024 at No.39, Second Avenue, DAE Township, Kalpakkam – 603 102. The death certificate of the testatrix has been marked as Ex.P2.

3. The petitioner further states that the testatrix was died unmarried. Her parents, P. Balaram Naidu and Sundaramma, had predeceased her. The testatrix had two brothers, namely P. Vasudevan and P. Devaludu. P. Vasudevan died on 31.05.2016, leaving behind his son, the first respondent P. Sriyutha Murthy. The second respondent P. Devaludu is the surviving brother of the testatrix.

4. The Will dated 23.03.2017 has been produced and marked as Ex.P1. The said Will is a registered Will, registered as Document No.20 of 2017 on the file



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of the Sub-Registrar, Konnur. Under the Will, the petitioner who is the wife of R1 has been appointed as executor. The first respondent is the beneficiary under the Will.

5. The respondents have filed consent affidavits stating that they have no objection for grant of probate in favour of the petitioner. Both respondents have also entered appearance through counsel.

6. By order dated 13.02.2026, the matter was referred to the learned Master for recording evidence. Before the learned Master, the petitioner examined herself as P.W.1. She marked Ex.P1 to Ex.P5. Ex.P1 is the original Will dated 23.03.2017. Ex.P2 is the death certificate of the testatrix. Ex.P3 is the death certificate of P. Vasudevan. Ex.P4 is the legal heirship certificate of P. Vasudevan. Ex.P5 is the certificate under Section 63(4)(c) of the Bharatiya Sakshya Adhiniyam, 2023.

7. The attesting witnesses were also examined. P. Devaludu was examined as P.W.2 and P. Hemavathi was examined as P.W.3. Both witnesses have stated that the testatrix executed Ex.P1 Will on 23.03.2017 in their presence. They



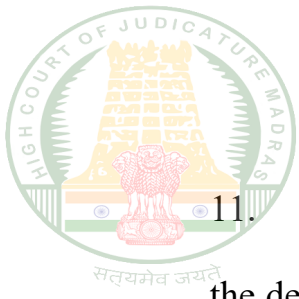
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have further stated that the testatrix was in a sound state of mind and in good health at the time of execution of the Will, that she signed the Will in their presence, and that they signed as attesting witnesses at her request.

8. P.W.2 and P.W.3 have also stated that they were identifying witnesses at the time of registration of the Will before the Sub-Registrar, Konnur. Their Aadhaar cards have been marked as Ex.P6 and Ex.P7.

9. The evidence of the attesting witnesses satisfies the requirement for proof of execution and attestation of the Will. There is no caveat or objection opposing the grant. The respondents, who are the persons interested in the estate, have given consent.

10. The affidavit of assets shows that the estate consists of house and ground bearing Plot No.305, situated in the sanctioned plan of Madras Urban Development Project II, Plot No.5/305, MIG at Dr.P.T.J. Nagar West, Survey No.35 part, Nolambur Village, measuring 1 ground and 180 sq.ft. The gross value of the estate is stated as Rs.2,06,40,000/- and the net value as Rs.2,06,30,000/-.



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11. The petitioner has undertaken to duly administer the estate and credits of the deceased, to pay debts first and thereafter the legacies, to file a full and true inventory within six months from the date of grant, and to render true accounts within one year.

12. On consideration of the pleadings, documents and evidence, this Court is satisfied that the Will dated 23.03.2017 executed by the deceased testatrix Ms. P. Manjuvani has been duly proved and that the petitioner, being the executor named in the Will, is entitled to probate.

13. Accordingly, O.P.No.203 of 2025 is allowed. No order as to costs.

08-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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DR.A.D.MARIA CLETE, J.

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