



O.P.No.642 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 09-06-2026**

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

**OP No. 642 of 2024**

K.A. Karthikeyan,  
S/o. late D.K.V. Aruljothe,  
No.10/31, Sivan Kovil West Street,  
Vadapalani,  
Chennai – 600 026.

..Petitioner(s)

Vs

1.A. Raja Rajeswari,  
W/o. Porur Mani,  
D/o. late D.K.V. Aruljothee,  
No.8/11, T.V.K. Street,  
Opposite Pandian Rice Mill,  
Avadi, Chennai – 600 054.

2.D. Parameswari,  
W/o. Deepak,  
D/o. late D.K.V. Aruljothee,  
No.182/A5, J.C. Court Apartment,  
Ashok Nagar, Indira Avenue,  
Kanchipuram – 631 502.

..Respondent(s)

Original Petition filed praying that the petitioner may be allowed to prove the Will in common form, and that probate thereof, to have effect throughout the State of Tamil Nadu may be granted to him.

For Petitioner(s): Mr.R.Kamaraj

For Respondent(s): Ms.J.Malathi



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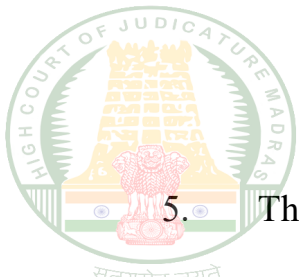
## **ORDER**

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 grant of probate in respect of the last Will and Testament dated 10.09.2018 executed by the deceased testator D.K.V. Aruljothee.

2. The petitioner is the son of the deceased testator. The respondents are the daughters of the deceased testator and sisters of the petitioner.

3. According to the petitioner, the deceased D.K.V. Aruljothee was ordinarily residing at No.10/31, West Sivan Kovil Street, Vadapalani, Chennai – 600 026, and died on 17.09.2019 at Chennai.

4. The petitioner states that the deceased executed his last Will and Testament on 10.09.2018 and that the said Will was registered as Document No.19 of 2018 on 11.09.2018 on the file of the Sub-Registrar, Ashok Nagar. Under the Will, the petitioner has been appointed as the sole executor.



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5. The respondents are the petitioner's sisters. They have also filed consent affidavits stating that they have no objection for grant of probate in favour of the petitioner.

6. The petitioner examined himself as P.W.1. He marked Ex.P1 to Ex.P5. Ex.P1 is the original Will dated 10.09.2018. Ex.P2 is the certified copy of the Letters of Administration granted in O.P.No.111 of 2005. Ex.P3 is the death certificate of D.K.V. Aruljothee. Ex.P4 is the legal heirship certificate. Ex.P5 is the affidavit of assets showing the net value of the estate as Rs.1,00,00,000/-.

7. One of the attesting witnesses, K. Porur Mani, was examined as P.W.2. He has stated that he was the first attesting witness to Ex.P1 Will. He has further stated that the testator executed Ex.P1 Will on 10.09.2018 in his presence and in the presence of the other attesting witness, K. Deepak. He has also stated that the testator was in a sound state of mind and in good health at the time of execution, that the testator signed the Will in their presence, and that both attesting witnesses signed the Will at the request of the testator.



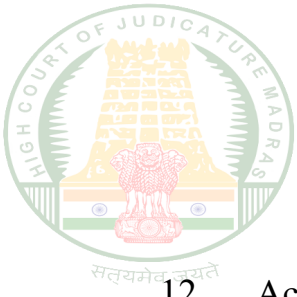
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8. P.W.2 has also stated that he was one of the identifying witnesses at the time of registration of Ex.P1 Will before the Sub-Registrar, Ashok Nagar. His Aadhaar card has been marked as Ex.P6.

9. The evidence of P.W.2 proves the execution and attestation of Ex.P1 Will in the manner required by law. There is no caveat or objection opposing the grant. The respondents, who are the other legal heirs of the deceased, have consented to the grant.

10. The affidavit of assets shows the net value of the estate as Rs.1,00,00,000/-. The petitioner has undertaken to duly administer the estate and credits of the deceased, to pay the debts first, if any, 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 from the date of grant.

11. On consideration of the pleadings, documents and evidence, this Court is satisfied that the Will dated 10.09.2018 executed by the deceased testator D.K.V. Aruljothee has been duly proved and that the petitioner, being the executor named in the Will, is entitled to probate.



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12. Accordingly, O.P.No.642 of 2024 is allowed. Probate of the last Will and Testament dated 10.09.2018 executed by the deceased testator D.K.V. Aruljothee shall be granted to the petitioner K.A. Karthikeyan, to have effect throughout the State of Tamil Nadu. The petitioner shall file a full and true inventory of the estate within six months from the date of grant and shall render true accounts within one year from the date of grant. No order as to costs.

**09-06-2026**

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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