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O.P. No.313 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2026

CORAM :

THE HONOURABLE MR.JUSTICE P.DHANABAL

O.P. No.313 of 2024

P.Unnikrishnan

... Petitioner

Vs.

1. Subhro Majumdar
2. Debasis Majumdar
3. Sheela Theytaz
4. Sita Mazumder
5. Diya Basu Mazumder
6. Thrusga Haldar
7. Trina Haldar
8. Prakash Madhavan
9. Ranjini Balakrishnan
10. Sanjay Madhavan
11. Anupama Ravi
12. K.P.Ravikrishnan
13. Prasanna Madhavan
14. Reba Majumdar
15. Capt. S.B.Mazumder
16. Gita Haldar

... Respondents

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

For petitioner : Ms. B.Srujana

For respondents : Mr. Anoj Elangovan for R3, R8

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ORDER

This petition has been filed under Sections 222 and 276 of the Indian Succession Act read with Order XXV Rule 4 of Madras High Court Original Side Rules seeking to grant Probate of the Will dated 19.03.2018 executed by Late Mrs. Meera Jayakar to have effect limited to the State of Tamil Nadu.

2. According to the petitioner, the said Meera Jayakar died on 17.09.2018 and her husband died long back, out of their wedlock, they did not have any children. The testatrix had purchased several mutual funds and holding fixed deposits in Sriram Transport, State Bank of India, State Bank of India (DL Bank) and Axis Bank and Savings Accounts in SBI, IBDI and Axis Bank described in Schedule during her lifetime. The parents of the testatrix predeceased her. The testatrix executed a Will dated 19.03.2018 bequeathing the schedule mentioned funds / deposits in favour of the petitioner. Thereafter, the testatrix died on 17.09.2018 leaving behind the petitioner and the respondents as the beneficiaries. The market value of the schedule mentioned funds / deposit would not exceed Rs.1,10,04,841/-

3. The testatrix had appointed the petitioner as the executor of the Will and the petitioner and the respondents are the beneficiaries of the said



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Will. Except the petitioner and the respondents, there are no other next of kin to the testatrix to be impleaded. The respondents have given their consents by filing affidavits that they have no objection to grant probate in favour of the petitioner.

4. The amount of assets which is likely to come to the petitioner's hand does not exceed in the aggregate sum of Rs.1,10,04,841/-. The petitioner had undertaken to duly administer the specified property and credits of the deceased in any way concerned his Will by paying the debts first and then the legacies therein bequeathed so far as the assets will extend and to make full and true inventory thereof and exhibits the same in this Court within the six months from the date of the grant of probate to the petitioner and also to render to this Court a true account of the said property within one year from the said date.

5. In order to prove the claim of the petitioner, PW1 and PW2 were examined on the side of the petitioner and Ex.P.1 to Ex.P.4 were marked. One P.Vijayakumar, second attesting witness to the Will was examined as PW2.



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6. PW1, the petitioner herein, in his evidence had narrated the averments made in the petition stating that he has filed this petition for grant of Probate of the Last Will and Testament executed by the deceased Late Meera Jayakar on 19.03.2018. The said Will and testamant has been marked as 'Ex.P.1'. PW2, in his evidence, had stated that the testatrix had executed a Will dated 19.03.2018 and he was also present along with the testatrix at the time of execution of Will. Further, P.W.2 has also stated about the left thumb impression of the testatrix and identified the signature of the 1st attesting witness in the Will and he has categorically deposed about the execution of the Will by the deceased and about the attestation by the attestors. Therefore, the execution of the Will and attestation are duly proved in accordance with law.

7. From the averments made in the petition and the depositions of PW1 and PW2 supported by the documents, it is clear that the petitioner has proved his claim and there is no contra evidence. Hence, this Court is satisfied that the petitioner is entitled to the relief as prayed for in the petition.

8. In the result, the Original Petition is **allowed** and the Will executed by Late Mrs.Meera Jayakar dated 19.03.2018 is hereby probated.

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Index : Yes/No
Speaking Order : Yes/No
ssd

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To
The Assistant Registrar (O.S.)
High Court, Madras

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APPENDIX:

List of Petitioner side Witnesses:

PW1 : Mr. P.Unnikrishnan
PW2 : Mr.P.Vijayakumar

List of Petitioner side Documents:

Exhibit No.	Date	Description of Documents.
Ex.P.1	19.03.2018	Original unregistered Will executed by Mrs.Meera Jayakar.
Ex.P.2	-	Computer generated death certifiante of Mrs.Meera Jayakar
Ex.P.3	-	Certificate under Section 63(4)(C) of BSA
Ex.P.4	-	Photocopy of aadhaar card of Vijayakumar

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