



WEB COPY

OP No. 582 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-01-2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

OP No. 582 of 2017

Mrs.S.Sulochana
W/o.Late A.Selvaraj
No.1/2, Dams Road, Chintadripet,
Chennai-600002.

..Petitioner(s)

Vs

1. G.Ravi
S/o.Late Gopalan
No.12, Yogalakshmi Nagar,
Vijayalakshmi Avenue, Poonamallee,
Chennai-600056.
2. G.Devaraj
S/o.Late Gopalan
No.11, Yogalakshmi Nagar,
Vijayalakshmi Avenue, Poonamallee,
Chennai-600056.
3. G.Kothandaraman (Deceased)
S/o.Late Gopalan
No.11, Yogalakshmi Nagar,
Vijayalakshmi Avenue, Poonamallee,
Chennai-600056.
4. G.Balaji (Deceased)
S/o.Late Gopalan
No.10, Yogalakshmi Nagar,
Vijayalakshmi Avenue, Poonamallee,
Chennai-600056.
5. G.Gajendran
S/o.Late Gopalan
No.8, 1st Street, Balaji Nagar,
Astalakshmi Flats, Anagaputhur,
Chennai-600070.



6. S.Kala
Do.Late K.Kannappan
No.3, Kavarai Street,
Kaladipet, Chennai-600019.
7. K.Susila
D/o.Late K.Kannappan
No.21-B, Railway Station Road,
Thiruvottiyur, Chennai-600019.
8. Sekar
H/o.Late S.MAla
No.104, Chandra Flats, 1st Floor,
M.R.Nagar 2nd Main Road,
Kodungaiyur, Chennai.
9. K.Saravanan
S/o.Late K.Kannappan
No.3, Kavarai Street,
Kaladipet, Chennai-600019.
10. V.Rathnabai
W/o.Venugopal
No.25/14, Nalla Thannikulam Street,
Thoppukana, Arcod-632503
Vellore District.
11. V.Sabitharani
W/o.Late A.Varadarajulu
12. N.V.Sujatha
D/o. Late A.Varadarajulu
13. N.V.Deepa
D/o. Late A.Varadarajulu
14. N.V.Sadhish
S/o.Late A.Varadarajulu
11 to 14 residing at
No.47, Iyya Mudali Street, Chintadripet,
Chennai-600002.
15. S.Thamarai Selvi
D/o.Late A.Selvaraj
16. S.Gajendran
S/o.Late A.Selvaraj
17. N.S.Baskaran
S/o.A.Selvaraj



18. N.S.Gokulakrishnan

S/o.Late A.Selvaraj

Respondents 15 to 18 are residing at
No.1/2, Dams Road, Chintadripet,
Chennai-600002.

19. Bhavani

W/o.Gothandaraman,

No.11, Yogalakshmi Nagar,

Vijayalakshmi Avenue,

Poonamallee,

Chennai-600 056

20. Sumithra

D/o.Gothandaraman,

No.11, yogalakshmi Nagar,

Vijayalakshmi Avenue,

Poonamallee,

Chennai-600 056

21. Harine

D/o.Gothandaraman,

No.11, Yogalakshmi Nagar,

Vijayalakshmi Avenue,

Poonamallee,Chennai-6000 56

(Respondents 19 to 21 are amended as per
order dated 24/09/18 in App.No.5338/2018)

22. Laksmi

W/o.Balaji,

No.10, Yogalakshmi Nagar,

Vijayalakshmi Avenue,

Poonamallee,

Chennai-600 056

23. Revathy

D/o.Balaji,

No.10, Yogalakshmi Nagar, Vijayalakshmi

Avenue,

Poonamallee,

Chennai-600 056

(Respondents 22 and 23 are Amended as per
order dated 24/9/2018 in Appl.No.5339/2018)

..Respondent(s)



Prayer:

Petition filed under Section 222 of the Indian Succession Act XXXIX of 1925 and under Order XXV Rule 4 of O.S.Rules to prove the Will dated 04.03.1992 referred to above in the common form and that probate thereof to have effect limited to the State of Tamilnadu

For Petitioner(s): Mr.S.Arivazhagan

For Respondent(s): Mr.R.Ponnusamy for
Respondents 1, 2, 5, 9, 12 and 14

ORDER

This petition has been filed under Section 222 of the Indian Succession Act read with Order XXV Rule 4 of Madras High Court Original Side Rules seeking to prove the Will dated 04.03.1992 executed by Late A.Ranganathan to have effect limited to the State of Tamil Nadu.

2. According to the petitioners, they are the Class II Legal heirs of the testator Late A.Ranganathan and the said Ranganathan died bachelor on 06.03.1996.

(i) The petitioner is the executor named in the said Will

(ii) The respondents 1 to 5 are the sons of Late V.Thilagavathi, who is the sister of the said deceased Ranganathan.

(iii) The respondents 6, 7 & 9 are the son and daughters and 8th respondent is the husband of one Mala, whose mother, K.Radhabai, was also sister of the deceased. The said K.Radhabai is also no more, hence her legal heirs are arrayed as parties.



(iv) The 10th respondent is the sister of the deceased A.Ranganathan

(v) The respondents 11 to 14 are the daughters and son of Late

A.Varadharajalu, who was the brother of the deceased A.Ranganathan.

(vi) The respondents 15 to 18 are the daughter and sons of the petitioner and late A.Selvaraj, who was also brother of the above said deceased and husband of the petitioner. The beneficiary is the petitioner, who is the wife of the deceased brother A.Selvaraj of the deceased (A.Ranganathan)

(vi) The parents of the testator pre-deceased the testator.

The testator was the absolute owner of the property described in the Schedule. The said property was purchased by the testator during his lifetime. The parents of the testator predeceased him. The testator executed a Will dated 04.03.1992 bequeathing the immovable properties in favour of the petitioner herein. The petitioner was appointed as Executor of the said Will executed by the testator Late A.Ranganathan. Thereafter, the testator died on 06.03.1996 leaving behind the petitioner and the respondents as the only Class II legal heirs. The market value of the schedule mentioned properties would not exceed Rs.38,86,000/-.

3. The testator had appointed the petitioner as the executor of the Will and she is the beneficiary of the said Will. Except the petitioner and the respondents, there are no other next of kin to the testator to be impleaded. The respondents 15 to 18 have given their consents by filing affidavits that

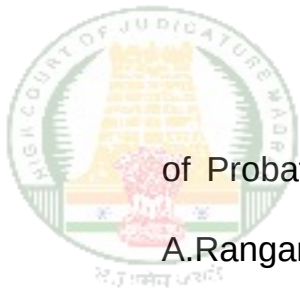


they have no objection to grant probate in favour of the petitioner. One Mrs.S.Thamarai Selvi was examined as P.W.2 and she identified the signatures found in the Will are that of her uncle, namely, A.Ranganathan and the signature found in the place of first attestor is that of her husband, Mr.R.Sugumar.

4. The amount of assets which is likely to come to the petitioner's hand does not exceed in the aggregate sum of Rs.38,86,000/-. 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 P.W.2 were examined on the side of the petitioner and Ex.P.1 to Ex.P.4 were marked. One Mrs.S.Thamarai Selvi, wife of the first attestor, has been examined as PW2.

6. PW1, the petitioner herein, in her evidence had narrated the averments made in the petition stating that she has filed this petition for grant



of Probate of the Last Will and Testament executed by the deceased Late A.Ranganathan on 04.03.1992. The said Will and testamant has been marked as 'Ex.P.1'. PW2, in her evidence, had stated that the testator had executed a Will dated 04.03.1992 and she has also identified the signature of the testator and first attester in the Will. Since the attesting witnesses are not available, the person who has acquaintance with the handwritings and signatures of one of the attestors and the testator was examined as PW2 and she has deposed that the testator is her uncle and the first attesting witness, viz., R.Sugumar, is her husband. She has categorically deposed about the execution of the Will by the deceased and about the attestation by one of the attestors. She has also identified the signature of the deceased in the Will and the signature of the first attesting witness. 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 to PW2 supported by the documents, it is clear that the petitioners have proved their claim and there is no contra evidence. Hence, this Court is satisfied that the petitioners are 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 A.Ranganathan dated 04.03.1992 is hereby probated.

29.01.2026

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

**APPENDIX:****List of Petitioner side Witnesses:**

PW1 : Mrs. S.Sulochana
PW2 : Mrs.S.Thamarai

List of Petitioner side Documents:

Exhibit No.	Date	Description of Documents.
Ex.P.1	04.03.1992	Original registered Will dated 04.03.1992 executed by Mr.A.Ranganathan, which has been attested by two attesting witnesses namely 1.R.Sugumar and 2.A.Rajendran.
Ex.P.2	06.03.1996	Original death certificate of A.Ranganathan, who died on 06.03.1996
Ex.P.3	-	Genealogy
Ex.P.4	-	Affidavit of assets showing net value of the estate as Rs.38,86,000/-

29-01-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

ssd



WEB COPY

OP No. 582 of 2



P.DHANABAL, J.

ssd

OP No. 582 of 2017

29-01-2026