Order QR

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-10-2026

CORAM

THE HON'BLE MR.JUSTICE P.B. BALAJI

OP No. 37 of 2026

CNR: {HCMA012265262024}

C.Devvaanand
S/o. (late) Chandrasekar,
No.24/45, 10th Street,
Annai Sivakami Nagar,
Ennore Thermal Station,
Ennore, Chennai 600 057.

..Petitioner(s)

Vs

No Respondent
Nil

..Respondent(s)

PRAYER: This Original Petition is filed under Sections 222 and 276 of the Indian Succession Act, 1925 read with under Order XXV, rule 4 of the Original Side Rules, 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.S.VIJAYAKUMAR

ORDER

The Original Petition has been filed for grant of Probate of the last Will and Testament of late Sakunthala Rajan. The said Sakunthala Rajan, died on 01.02.2019, leaving behind her last Will and Testament dated 24.10.2018, which is an unregistered Will. However, it has been duly attested by two witnesses viz., Mr.K.N.Kuppusamy and Mr.R.Rajendran. The husband of the

https://www.mhc.tn.gov.in/judis

WEB COPY

Testatrix, one B.S.Rajan, predeceased the Testatrix. died on 07.06.1995. The Testatrix and her husband were not blessed with any issues. The petitioner is the brother's son of the Testatrix, who is appointed as sole Executor, under the said Will, and in fact, the petitioner is also sole beneficiary. The petitioner's father is the surviving legal heir of the husband of the Testatrix and he also passed away and hence, there is none to object to grant of probate. The original Will is filed along with this Original Petition.

2. Both the attesting witnesses, viz., Mr.K.N.Kuppusamy and Mr.R.Rajendran, have filed their respective affidavit of attesting witnesses. I have gone through the said affidavit, and they have affirmed the fact that on 24.10.2018, they were present at the residence of the Testatrix, Sakunthala Rajan and that the Testatrix executed her last Will and Testament in their presence and in turn, they also attested the Will in the presence of the Testatrix. The affidavit of the attesting witness is in compliance with the requirements under Section 63 of the Indian Succession Act r/w Section 67 of BSA (Section Section 68 of the Indian Evidence Act). I am satisfied that the Will has been duly proved in the manner required under law. In the light of the above, I am inclined grant Probate, as prayed for.

https://www.mhc.tn.gov.in/judis

WEB COPY

3.In fine, this Original Petition is ***allowed***, as prayed for and the Registry is directed to issue Probate with the Will dated 24.10.2018 of late Sakunthala Rajan annexed, to the petitioner.

30-10-2026

RKP

https://www.mhc.tn.gov.in/judis

WEB COPY

P.B.BALAJI, J.

RKP

OP No. 37 of 2026

30-10-2026

https://www.mhc.tn.gov.in/judis