

KABC010041812026



**IN THE COURT OF THE I ADDL. CITY CIVIL &
SESSIONS JUDGE (CCH – 02) AT BENGALURU**

Present : Sri. B.P. DEVAMANE, LL.M.,
I Addl. City Civil & Sessions Judge,
Bengaluru City.

Dated this the 16th day of July 2026

P & SC No.86 / 2026

PETITIONER : Smt. Padmavathy Ramesh,
D/o R.V. Ramesh,
Aged about 56 years,
R/o Flat No.20,
Jivan Bima Apartments,
East Arjun Nagar,
DELHI – 110 032.
Also at :
Flat No.B-301,
Renaissance Brindavan Apartments,
Subramanyapura Main Road,
Uttarahalli,
BENGALURU – 560 061.

(By **Sri. S. Rajendra, Adv.)**

V/s.

RESPONDENTS : - NIL -

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ORDER

This petition is filed by the petitioner under Sections 276 & 278 of The Indian Succession Act for grant of probate in respect of last Will & testament dated 02.07.2023 executed by deceased Sri. Anand Ramesh in favour of petitioner in respect of the petition schedule properties.

2. The brief facts of case of petitioner is that, petitioner is the daughter of R.V. Ramesh & Smt. Parvathy Ramesh. Petitioner had brother viz., Anand Ramesh, who married Smt. Shweta Subramanian in the year 2007 and out of their wedlock they have begotten son. Due to matrimonial differences, the marriage between Anand Ramesh and his wife was dissolved by decree of divorce by mutual consent dated 03.06.2020 passed by the 7th Addl. Family Court, Chennai. As per the terms of settlement recorded therein, the permanent custody of minor son was granted to the mother and Anand Ramesh paid permanent alimony & maintenance. During his lifetime, Sri. Anand Ramesh, while he was in sound & disposing state of mind, executed Will dated 02.07.2023 bequeathing petition schedule properties in favour of his sister i.e., petitioner. Sri. Anand Ramesh expired on 26.07.2024. Upon the death of Sri. Anand Ramesh, petitioner became only legatee to the Will dated 02.07.2023 as per Hindu Succession Act. Petitioner being the executor appointed under the Will have right to ask for probate of the Will. Hence, this petition.

3. Petitioner has taken notice under Order 5 Rule 20 of CPC calling objections from interested persons, if any. It is duly published in 'Kannada Prabha' daily Kannada newspaper dated 05.03.2026 and 'Business Standard' daily English newspaper dated 06.03.2026. But, nobody appeared and filed objections to the petition.

4. In order to prove the case, petitioner examined as PW1 and also got examined one of the attesting witnesses to the Will as PW2 and got marked the documents at Ex.P1 to P9.

5. Heard arguments. Perused the entire material on record.

6. On the basis of the above pleadings, the points that arise for my consideration are : -

1. Whether petitioner proves that she is entitled for probate of the Will in respect of the petition schedule properties as prayed ?

2. What Order ?

7. My findings on the above points are as under : -

Point No.1 : In the **Affirmative**

Point No.2 : As per final order,
for the following : -

REASONS

8. **POINT NO.1:** To prove the point in question, petitioner filed affidavit in lieu of her examination-in-chief reiterating the petition averments and examined as PW1. PW1 has deposed that she is the sister of late Sri. Anand Ramesh. Sri. Anand Ramesh expired on 26.07.2024. During his lifetime Sri. Anand Ramesh executed Will dated 02.07.2023 bequeathing petition schedule properties in favour of his sister i.e., petitioner. Upon the death of Sri. Anand Ramesh, petitioner became only legatee to the Will dated 02.07.2023 as per Hindu Succession Act. Petitioner being the executor appointed under the Will has right to ask for probate of the Will. Hence, prayed to issue probate in respect of the Will.

9. PW1 in addition to her oral evidence, has produced documents at Ex.P1 to P8 as under :

Ex.P1	Death certificate of Ramesh
Ex.P2	Sale deed dt. 15.07.2006
Ex.P3	Notarized copy of Aadhaar of petitioner
Ex.P4	Statement of account in Canara Bank in the name of deceased Ramesh
Ex.P5	Statement of account in HSBC Bank in the name of deceased Ramesh
Ex.P6	Statement of account in Karnataka Bank in the name of deceased Ramesh
Ex.P7	Statement of Demat account
Ex.P8	Certificate U/s 63(4) of BSA

10. PW1 also got examined one of the attesting witnesses to the Will dated 02.07.2023 viz., Sri. Ravi Ganapatiraman as PW2, who has supported the case of petitioner. PW2 got marked original Will dated 02.07.2023 as Ex.P9.

11. From the documents, it disclose that, during his lifetime Sri. Anand Ramesh acquired petition schedule properties and he was in possession of the same. On 02.07.2023 he executed the Will as per Ex.P9 bequeathing petition schedule properties in favour of his sister i.e., petitioner herein.

12. Original sale deed of the immovable property produced from custody of petitioner. There is no reason to disbelieve the oral & documentary evidence of the petitioner. Under these circumstances, I am of the opinion that, petitioner is entitled for the relief as sought for. Accordingly, I answer the **Point No.1** in the **Affirmative**.

13. **POINT NO.2** : In view of the above discussions, I proceed to pass the following : -

ORDER

The petition filed by petitioner under
Sections 276 & 278 of The Indian Succession
Act is allowed. No order as to costs.

Petitioner is entitled for probate in respect of the petition schedule properties, by virtue of the Will as per Ex.P9.

Office is directed to issue Probate in favour of the petitioner as stated above after collecting requisite Court fees and Stamp Duty.

*Dictated to Senior Sheristedar (now under instructions to continue the work as Stenographer Grade I) directly on computer, computerized by him, revised, corrected by me and then pronounced in the open Court on this the **16th day of July 2026.***

(B.P. DEVAMANE)

I Addl. City Civil & Sessions Judge,
Bengaluru City.

A N N E X U R E

List of witnesses examined for petitioner :

P.W.1 : Smt. Padmavathy Ramesh
P.W.2 : Sri. Ravi Ganapatiraman

List of documents exhibited for petitioner :

- Ex.P1 : Death certificate of Ramesh
- Ex.P2 : Sale deed dt. 15.07.2006
- Ex.P3 : Notarized copy of Aadhaar of petitioner
- Ex.P4 : Statement of account in Canara Bank in the name of deceased Ramesh
- Ex.P5 : Statement of account in HSBC Bank in the name of deceased Ramesh
- Ex.P6 : Statement of account in Karnataka Bank in the name of deceased Ramesh
- Ex.P7 : Statement of Demat account
- Ex.P8 : Certificate U/s 63(4) of BSA
- Ex.P9 : Original Will dt. 02.07.2023

List of witnesses examined and documents exhibited for respondents: Nil

I Addl. City Civil & Sessions Judge,
Bengaluru City.