

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 12.10.2017

Coram

THE HON'BLE MR.JUSTICE RAJIV SHAKDER
and
THE HON'BLE MR.JUSTICE N.SATHISH KUMAR

O.S.A.Nos.196 and 197 of 2017

1.S. Sundara Mahalingam
2.S. Vasantha ... Appellants
[in both O.S.As.]

Vs.

1. Gowriammal
2. Navakodi
3. Kanjana
4. Logasundari
5. Maheswari
6. Vijayalakshmi
7. The Inspector of General of Registration,
100, Santhome High Road Chennai - 28
8. The District Registrar,
Chennai-North, No.26, Rajaji Salai,
Chennai-600001.
9. The District Registrar,
Chennai Central,
Old No.182, New No.238,
Pycrafts Road, Royapettah,
Chennai 600014.
10. The District Registrar,
Chennai South, Old No.53,
New No.9, Jeenis Road,
Saidapet, Chennai 600015.
11. The Sub-Registrar
Virugambakkam,
No.124, Arcot Road, Chennai 600092.

... Respondents
[in both O.S.As.]

PRAYER: These Original Side Appeals have been filed to set aside the Order of this Court dated 27.06.2017 in A.Nos.1648 and 1649 of 2017 in C.S.No.333 of 2011 on the file of the Original Side of this Court.

For Appellants : M/s.S. Buvaneswari

For Respondents : Mr.V. Bhiman for
M/s. Sampath Kumar & Assor
for R1 to R6

For R7, R8, R10 & R11 : No appearance

C O M M O N J U D G M E N T

(Order of the Court was made by RAJIV SHAKDER, J)

1. These appeals have been preferred by the original plaintiffs against the Judgment and order of the single Judge dated 27.06.2017, which came to be passed on the applications filed by the appellants to bring on record the letter dated 20.08.2014, addressed by them to the tahsildar, Mambalam Taluk, Chennai 600078, for furnishing legal heir certificate pertaining to Mr.P.V.Jagadeesa Gramani and the entire file containing proceedings P.M.No.E2/33753/92 as also the original letter dated 22.08.2014, issued by the Public Information Officer and Headquarters Deputy Tahsildar.

2. The learned single Judge has dismissed the applications, inter alia, on the ground that the documents which are sought to be placed on record in the form secondary evidence will not help to the appellants/plaintiffs in advancing their case.

3. We have tried to ascertain from the learned counsel for the appellants as to whether there is any dispute with regard to the fact that Ms.A. Saraswathi is the legal heir of late Mr.P.V. Jagadeesa Gramani. Learned counsel for the appellants says that while there is no dispute with regard to the said fact, the legal heir certificate will strengthen the case of the appellants.

4. Upon perusal of the pleadings filed in the suit, we find that the respondents have not raised any dispute with regard to the fact that Ms.A. Saraswathi is the eldest daughter of Mr.P.V. Jagadeesa Gramani. We have asked the learned counsel for the respondents 1 to 6 as to whether the respondents 1 to 6 dispute this fact. The learned counsel for the respondents 1 to 6 says that the fact I.e., Ms.A.Saraswathi is the eldest daughter of Mr.P.V. Jagadeesa Gramani, is not disputed.

5. Having heard the submissions of the learned counsel for the respondents 1 to 6, learned counsel for the appellants say she is satisfied and therefore submits that she need not press the captioned appeals any further. Accordingly, these appeals are disposed of.

Sd/-
Asst.Registrar (CS V)

/true copy/

Sub Asst. Registrar

ggs

To

- 1.The Inspector of General of Registration,
100, Santhome High Road Chennai - 28
- 2.The District Registrar, Chennai-North, No.26, Rajaji Salai,
Chennai-600001.
3. The District Registrar, Chennai Central,
Old No.182, New No.238, Pycrafts Road, Royapettah,
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- 4.The District Registrar, Chennai South, Old No.53,
New No.9, Jeenis Road, Saidapet, Chennai 600015.
5. The Sub-Registrar, Virugambakkam,
No.124, Arcot Road, Chennai 600092.
- 6.The Sub Assistant Registrar,
Original Side,
High Court, Madras.

+ 1 cc to M/s. Sampath Kumar Advocate, SR.73324

+ 2 cc to M/s.D.Sadhasivan, Advocate, SR.73466

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NMI (CO)
NR 07/12/2017