

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(TESTAMENTARY AND INTESTATE JURISDICTION)

WEDNESDAY, THE 04TH DAY OF JULY 2018

THE HON'BLE MR. JUSTICE N.SATHISHKUMAR

A. No.3940 of 2018

IN

TOS.No.103 of 2013

In the matter of the Indian
Succession Act XXXIX of 1925
and

In the matter of Certified
copy of Will and Testament of
T.G.Jaganathan - Deceased

1. J.Thiruvengkadakrishnan
 2. D.Vedavalli
 3. D.Saranya
 4. D.Harish Kumar (*) Minor
- Minor represented by his mother
and natural guardian D.Vedavalli

1 to 4 are residing at No.19/24,
Rathna Nagar (at present
Rathna Nagar 2nd Street)
Teynampet, Chennai 600 018.

(*) 4th plaintiff who is declared as major
and 2nd plaintiff is discharged from guardianship
of the minor 4th plaintiff as per order
dated 11.11.2016 in A.No. 5889/2016
and 5890/2016 in TOS.No.103 of 2013.

... Applicants/Petitioners/Plaintiffs

Vs

J.Bakthavachalam
residing at No.23, Shanmugapuram,
Thiruvotriyur, Chennai 600 019.

.. Respondent/Caveator/Defendant

Application praying that this Hon'ble Court be pleased to pass an order to permit the applicants/plaintiffs to mark the certified copy of the Will dated 09.12.1992.

This Application coming on this day before this court for hearing the court made the following order:-

This application has been filed to permit the applicants to mark the certified copy of the Will dated 09.12.1992.

2.As the original Will has not been produced by the defendant despite the order passed by the learned master, in application No.3061 of 2012 to issue citations to the second respondent to produce the Will, the second respondent had not produced the Original Will.

3.Now, the applicants seek to file the certified copy of the Will dated 09.12.1992. Considering the facts, even after the citations, the respondents have not produced the Original Will, hence, I am of the view that the secondary evidence to be permitted. Accordingly, this application is ordered.

5.Post T.O.S.No.103 of 2013 on 18.07.2018 before the learned Master for recording evidence.

sd/-N.S.K.J

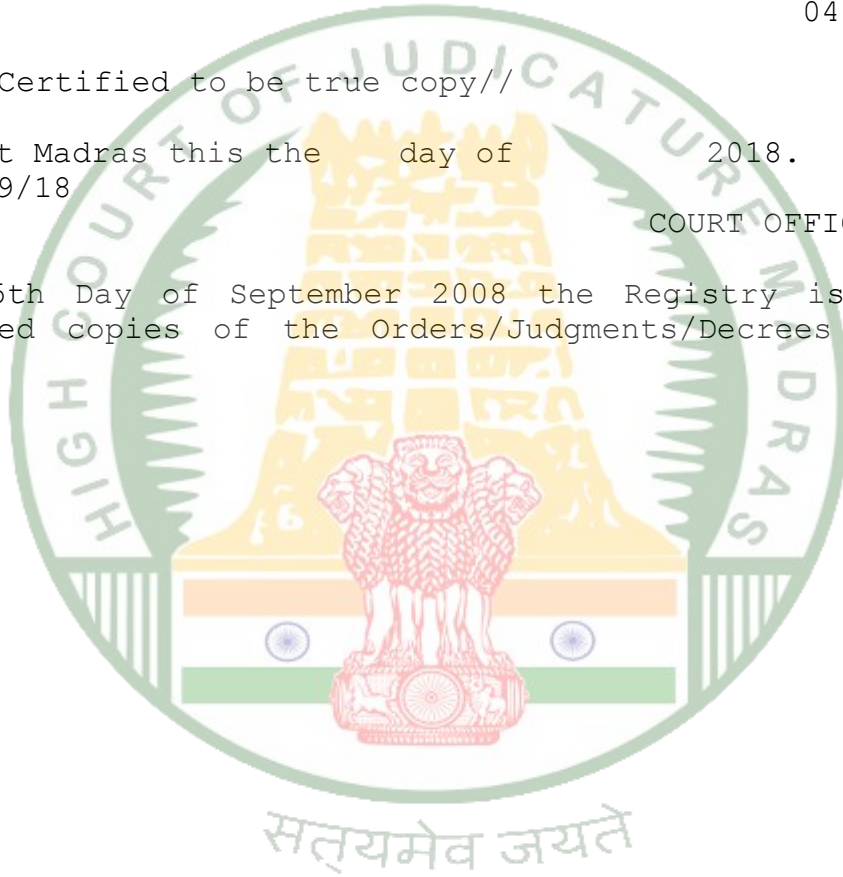
04/07/2018

//Certified to be true copy//

Dated at Madras this the day of 2018.
JJ 11/09/18

COURT OFFICER(O.S.)

From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.



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