



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.09.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

C.R.P. (PD) . (MD) Nos.1021 and 1022 of 2013

and

M.P. (MD) .Nos.1 and 2 of 2013 in C.R.P. (MD) No.1021 of 2013

1.Minor Niranjana Jacob Davis

2.Minor Angelina Reshma

Minors represented by their

Father/Guardian Stephen Foster Davis

... Petitioners/Petitioners  
in both Petitions

Vs.

1.Ebenezer Jeba Pearl

2.Beula Devapriya Pearl

both

... Respondents/Respondents in  
petitions

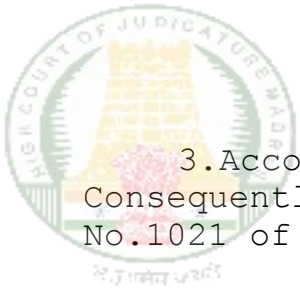
Civil Revision Petitions are filed under Article 227 of the Constitution of India, praying to set aside the Fair and Decreeal orders dated 08.06.2013 made in I.A.Nos.63 and 64 of 2012 in Probate O.P.No.1 of 2009 on the file of the Court of Principal Subordinate Judge, Nagercoil, Kanyakumari District.

For Petitioners in both : Mr.M.Suri  
Petitions

### ORDER

The petitioners filed two applications in the main Probate Original Petition, one is to reopen the case for adducing further evidence and the other one is to call for the records from the Superintendent of Police, Kanyakumari District. Both the applications have been dismissed on the ground that the affidavits filed in support of them did not give any reason for allowing the same and the petitioners have to independently prove the same.

2.This Court does not find any error in the aforesaid orders. When the petitioners want to probate the will they have to satisfy the Court. These applications have been filed only to collect the evidence. These applications have been filed at the evidence stage. In fact the evidence of P.W.1 was closed. The affidavits also do not indicate the reason for calling for the records. In these circumstances, this Court is inclined to dismiss both the petitions.



3. Accordingly, these Civil Revision Petitions are dismissed. Consequently, connected M.P.(MD) Nos.1 and 2 of 2013 in C.R.P.(MD) No.1021 of 2013 are closed. No Costs.

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Sd/-

Assistant Registrar(CS-II)

Sub Assistant Registrar(CS-I)

To

The Principal Subordinate Judge,  
Nagercoil.

+1CC to Mr.M.Suri, Advocate, SR.No.85408

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and M.P.(MD).Nos.1 and 2 of 2013 in  
C.R.P.(MD) No.1021 of 2013  
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SJ

ES/PM/SAR 1/26.10.2018/2P/3C