

O.P.No.829 of 2016
and
A.No.6095 of 2016
and
OA.No.1049 of 2016

R.SUBRAMANIAN, J.,

This Original Petition has been filed seeking removal of the Executor.

2. According to the petitioners, the Executor has not performed her functions.

3. It appears that the legatees who are the two daughters of the Testator are at loggerheads and are fighting eternally. From the attitude exhibited by the parties by way of pleadings as well as the conduct, I find that they are only bent upon fighting forever and they did not allow the Executor to perform her functions as an Executor.

4. Mr.P.B.Balaji, learned counsel appearing for the Executor would submit that she could be relieved from the duties of the Executor. The directions in the Will could not be carried out by the Executor, since the legatees have occupied the house and are not allowing the Executor to let it out.

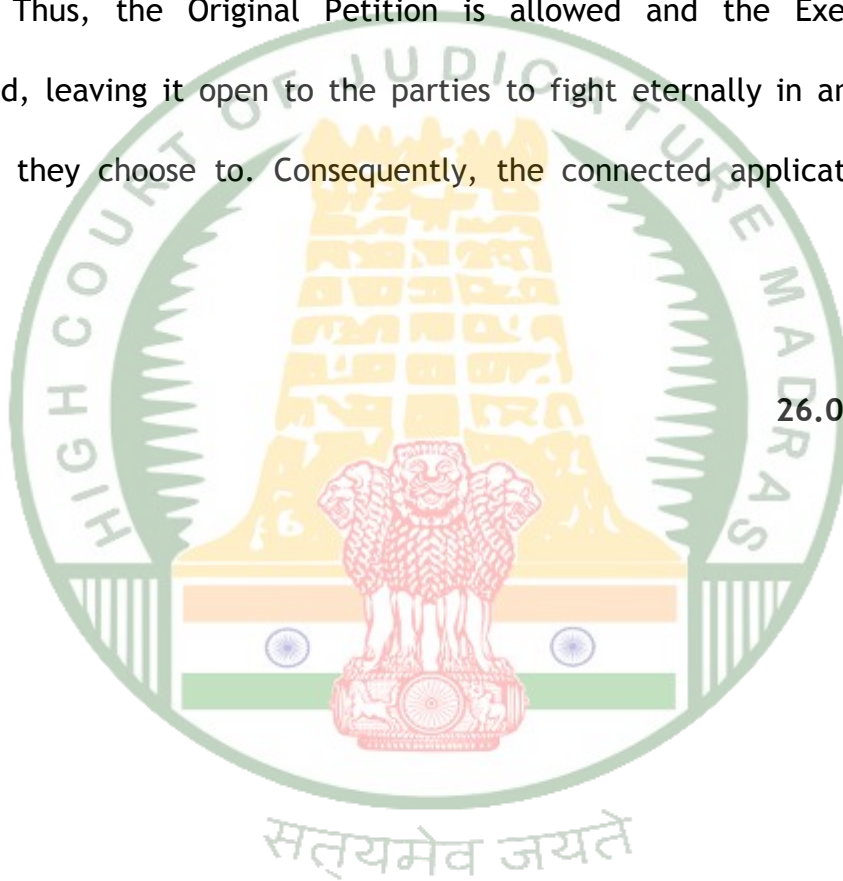
R.SUBRAMANIAN, J.,

dsa

5. Hence, I find that the Executor should be relieved of the duties. Thus, the Original Petition is allowed and the Executor is discharged, leaving it open to the parties to fight eternally in any forum wherever they choose to. Consequently, the connected applications are closed.

dsa

26.04.2019



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