

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL JURISDICTION)

WEDNESDAY, THE 21ST DAY OF AUGUST 2019

THE HON'BLE MR. JUSTICE R.SUBRAMANIAN

A.No.6036 of 2019

in

O.P.DIARY NO.23371 of 2019

In the matter of Indian
Succession Act XXXIX of 1925

and

In the matter of Last Will
and Testament of
Mrs.K.Meenakshi Ammal
(Deceased)

1.MRS UDAYA CHANDRIKA
W/O.S.VIVEKANANDAN

2. L.PRABHAKARAN
S/O.LOGANATHAN

1 and 2 at OLD NO.62/1 NEW NO.42

RAZACK GARDEN STREET, ARUMBAKKAM,
CHENNAI 600 106.

... Petitioner

-Versus-

1. K.Selvakumar,
Son of Late T.Krishnan (alias),
T.Krishnaswami Mudaliar,

2. Mrs.Padmini,
Daughter of K.Selvakumar

3. Mrs.Kokila,
Daughter of K.Selvakumar,
1 to 3 residing at Old No.62, New No.44,
Razack Garden Street,
Arumbakkam, Chennai-600 106.

4. Mrs.Rajeswari,
Wife of Loganathan,
Old No.62/1, New No.42,
Razack Garden Street,
Arumbakkam, Chennai-600 106. ...Respondents

A.No.6036 of 2019:

1. MRS UDAYA CHANDRIKA
W/O.S.VIVEKANANDAN

2. L.PRABHAKARAN
S/O.LOGANATHAN
1 and 2 at OLD NO.62/1 NEW NO.42
RAZACK GARDEN STREET, ARUMBAKKAM,
CHENNAI 600 106. Applicant/Petitioner

-Versus-

1. K.Selvakumar,
Son of Late T.Krishnan (alias),
T.Krishnaswami Mudaliar,

2. Mrs.Padmini,
Daughter of K.Selvakumar

3. Mrs.Kokila,
Daughter of K.Selvakumar,

1 to 3 residing at Old No.62, New No.44,
Razack Garden Street,
Arumbakkam, Chennai-600 106.

4. Mrs.Rajeswari,
Wife of Loganathan,
Old No.62/1, New No.42,
Razack Garden Street,
Arumbakkam, Chennai-600 106. ..Respondents/Respondents

Application praying that this Hon'ble Court be pleased to accept third party affidavit identifying the singnaure of the Testatrix as the affidavit of the attesting witnesses in nor procurable.

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

Considering the averments made in the affidavit filed in support of this application and the fact that the Will is in the year 1985 and the attesting witnesses are not traceable, this application is allowed permitting the petitioners to file third party affidavit identifying the signatures of the attestors.

WEB COPY

Sd/.R.S.M.J.
21.08.2019

//Certified to be a true copy//

Dated this the day of 2019.

Su.22.08.2019

COURT OFFICER