



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(TESTAMENTARY AND INTESTATE JURISDICTION)

MONDAY, THE 6TH DAY OF JANUARY 2020

THE HON'BLE MR. JUSTICE SENTHILKUMAR RAMAMOORTHY

A. No.9669 of 2019
in
A. No.6982 of 2015
in
T.O.S. No.40 of 1995

T.O.S. No.40 of 1995:-

In the matter of Indian
Succession Act, XXXIX of
1925

and

In the matter of the Last
Will and Testament of
T.A.Ganesan-deceased

Tmt.Jothi,
residing at No.29,
Padmanabhan Street,
T.Nagar, Madras-600 017.

... Plaintiffs

-Versus-

1. E.Sambasivan **(died) (*)**,

2. J.S.Metha,

3. **Karmukil, (*)**
residing at No.29,
Padmanabhan street,
T.Nagar, Madras-17.

4. **Poonghuzhali, (*)**
residing at No.80,
Shanthi Colony, Anna Nagar,
Chennai-600 040.

**(*)The defendants 3 & 4 are impleaded
as legal representatives of the
deceased first defendant as per order
dated 28.06.2005 in A. No.2541 of 2005**

5. **K.T.Rukmani Ganesan, (#)**
Cultural Forum,
rep. by Trust Secretary,
Ramanatha Rao,



6. Ponnadiyan, (#)

7. C.Ramanatha Rao, (#)

... Defendants

(#) Impleaded as per order dated 27.07.2006
in A. No.3212 of 2005 and order dated
27.04.2016 and memo dated 22.04.2016
and 13.07.2016

A. No.6982 of 2015:-

In the matter of Indian
Succession Act, 1925

and

In the matter of the Last
Will and Testament of
T.A.Ganesan-deceased

T.Poonadiyan,
S/o.V.T.Nathan,
No.43, Duraisamy Salai,
Vadapalani, Chennai-600 026.

... Applicant/Impleaded as
party 6th defendant by
order dated 24.07.2006 in
A. No.3212 of 2005 in
T.O.S. No.40 of 1995

-Versus-

1. Tmt.Jothi,
No.29, Padmanabhan Street,
T.Nagar, Madras-600 017.

... 1st Respondent/Plaintiff

E.Sambasivan (died),

2. J.S.Metha,

3. Karmukil,
No.29, Padmanabhan Street,
T.Nagar, Madras-17.

4. Poonghuzhali,
No.A4, 80, Shanthi Colony,
Anna Nagar, Chennai-600 040. ... Respondents 2 to 5/
Defendants 1 to 4

5. K.T.Rukmani Ganesan,
Cultural Forum,
rep. by Trustee Secretary,
Ramanatha Rao,
No.7, Chandra Lodge,
Chennai-600 008.



6. C.Ramanatha Rao,
S/o.Thulaji Rao,
No.MIG 24 1 NH7, Dr.Ambedkar Street,
Maraimalai Nagar, Chengleput Taluk,
Kanchipuram Dist.

... Respondents 5 & 6/Impleaded as
party 5 & 7th defendants by
order dated 24.07.2006 in A.
No.3212 of 2005 in T.O.S.
No.40 of 1995

A. No.9669 of 2019:-

Tmt.Jothi,
No.29, Padmanaban Street,
T.Nagar, Chennai-600 017.

... Applicant/Plaintiff

-Versus-

E.Sambasivan (died),

1. J.S.Metha,

2. Karmukil,
No.29, Padmanabhan street,
T.Nagar, Madras-17.

3. Poonghuzhali,
No.A4, 80, Shanthi Colony,
Anna Nagar, Chennai-600 040.

... Defendants

4. K.T.Rukmani Ganesan,
Cultural Forum,
previously rep. by Trustee Secretary,
Ramanatha Rao (since deceased),
presently represented by President,
Dr.N.Murugesan, S/o.Narayanasamy,
No.16, M.R.R.Tower, 3rd Street,
Sastha Nagar, Valasarawakkam,
Chennai-600 087.

5. T.Ponnadiyan,
No.43, Duraisamy Salai,
Vadapalani, Chennai-26.

6. C.Ramanatha Rao (died)
No.MIG 24 1 NH7, Dr.Ambedkar Street,
Maraimalai Nagar, Chengleput Taluk,
Kanchipuram Dist.

... Respondents/Defendants
(Proposed Defendants)

Application praying that this Hon'ble Court be pleased
to extend the time by a week to comply the conditional
order viz., to pay the costs of Rs.5,000/- (Rupees five



thousand only) imposed in A. No.6982 of 2015 in T.O.S. No.40 of 1995 dated 02.12.2016.

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

Pursuant to the earlier order dated 16.12.2019, whereby the time for compliance with the conditional order was extended by one week, the learned counsel for the applicant submits that the conditional order was complied with and he has submitted the receipt in proof thereof. Accordingly, the compliance with the earlier order is recorded.

2. Registry is directed to print the name of Mr. S.Jayakumar, learned counsel for the plaintiff in T.O.S.No.40/1995 instead of Mr. O.R.Abdul Kalam.

3. List the case on 07.01.2020.

Sd./-S.K.R.J.

06/01/2020

//Certified to be true copy//

Dated at Madras this the day of 2020.

jj 06/01/2020

COURT OFFICER(O.S.)

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