

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

TUESDAY, THE 03RD DAY OF NOVEMBER 2020

THE HON'BLE MR. JUSTICE N.SATHISH KUMAR

A. No.3730 of 2012
in
O.P.No.310 of 1998

In the matter of Succession Act
19 of 1925
and
In the matter of Last Will and
Testament of T.Devasahayam
(deceased)

T.Francis
No.3, Periyathambi Street,
Royapuram,
Chennai-600 013.

..Petitioner

-Vs-
सत्यमेव जयते

1. D.Rajayaa,
No.25, Flag Staff Street,
Royapuram,
Chennai-600 013.

2. D.Chelliah,
No.3, D.G.Garden, 8th Street,
S.N.Chetty Street,
Royapuram,
Chennai-600 013.

3. Mrs.Jasmine Philips,
No.6, Mpet 1st Lane,
Royapuram,
Chennai-600 013.

..Respondents

A.No.3730 of 2012:

1.G.Kamalamma,
Wife of Late Solomon Gunarathinam,
No.3, Ambedkar Street,
Chennai-600 011

2. J.Juliet,
No.3, Kollan Garden, Siruvallur,
Chennai-600 011

3. S.Gracy,
D/o.Late Solomon Gunarathnam,
No.10, Ambedkar Street,
Chennai-600 118.

4. G.E.Thamburaj,
Son of late Solomon Gunarathinam,
No.3, Ambedkar Street,
Chennai-600 011

5. P.Rathinammal,
No.242, S.S.Puram A-Block,
Chennai-600 118.

6. P.Vincent,
Son of late Ponniah,
No.242, S.S.Puram A-Block,
Chennai-600 012.

7. Mrs.P.Premeela,
daughter of late Ponniah,
No.242, S.S.Puram A-Block,
Chennai-600 118.

..Applicant/Third Parties

-Vs-

1. Francis,
No.83/21, H-Block,
Manali Pudhu Nagar,
Chennai-600 103.

2. D.Rajayaa,
No.25, Flag Staff Street,
Royapuram,
Chennai-600 013.

3. D.Chelliah,
No.3, D.G.Garden, 8th Street,
S.N.Chetty Street,
Royapuram,
Chennai-600 013.

4. Mrs.Jasmine Philips,
No.G.M.Pet 1st Lane,
Royapuram,
Chennai-600 013.

...Respondents

This application praying that this Hon'ble Court be pleased to condone the delay of 976 days in filing application for setting aside the order of dismissal in OA No.1563 of 2005 dated 08/07/2009.

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

Despite the order of this court dated 21.09.2020, steps have not been taken to bring on record the legal heirs of the deceased first respondent. Hence, this application is dismissed as abated as against the first respondent.

2. Already the learned counsel appearing for the applicant made endorsement on 03.03.2015 that the relief against the respondents R2 to R4

3. Inview of the above, nothing survives for further adjudication in the application and accordingly, this application is dismissed.

Sd/.N.S.K.J.
03.11.2020

//Certified to be a true copy//

Dated this the day of 2020.

SU/10.11.2020

COURT OFFICER(O.S.)

From 25.09.2008 the Registry is issuing certified copies of the Order/Judgment Decree in this format.



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