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

WEDNESDAY, THE 03RD DAY OF MARCH 2020

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

A.No.775 of 2020
in
T.O.S.NO.22 OF 2019

In the matter of the Indian
Succession Act XXXIX of 1925,
and
In the matter of Last Will and
Testament of M.P.Janarthanan,
VSM – Deceased.

MRS.USHA VINOD KUMAR
D/o.Late Major M.P.Janarthanan, VSM,
B-104, Elegant Aster, Geddalahalli,
Hennur Main Road,
Bengaluru-560 077.

...Plaintiff

-VS-

MR.DINESH J.NAIDU
S/o.Late Major M.P.Janarthanan,
VSM, Plot No.2911, 14th Main Road,
Anna Nagar West, Chennai-600 040.

..Defendant

A.No.775 of 2020:

MR.DINESH J.NAIDU
S/o.Late Major M.P.Janarthanan,
VSM, Plot No.2911, 14th Main Road,
Anna Nagar West, Chennai-600 040.

..Applicant/Defendant

-VS-

MRS.USHA VINOD KUMAR
D/o.Late Major M.P.Janarthanan, VSM,



B-104, Elegant Aster, Geddalalahalli,
Hennur Main Road,
Bengaluru-560 077.

...Respondent/Plaintiff

This application praying that this Hon'ble Court be pleased to condone the delay of 59 days in filing Written Statement in Testamentary Original Suit No.22 of 2019.

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

This application is filed to condone the delay of 59 days in filing the written statement in T.O.S.No.22 of 2019.

2. I heard the learned counsel for the applicant / defendant and the learned counsel for the respondent / plaintiff.

3. The learned counsel for the applicant submitted that the process of collecting the necessary particulars and documents, which were required for the preparation of the written statement, caused the delay of 59 days in filing the written statement.

4. The learned counsel for the respondent / plaintiff submits that the application may be allowed on terms.

5. Upon considering the submission of the learned counsel for the respective parties and on examining the affidavit in support of the application, I am of the view that sufficient cause is made out to condone

the delay. Accordingly, the Application is allowed and the delay of 59 days



in filing the written statement in T.O.S.No.22 of 2019 is condoned.

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6. List the T.O.S.No.22 of 2019 on 17.03.2020, under the caption 'for framing issues.

Sd/-S.K.R.J.
03.03.2020

//Certified to be true copy//
day of 2020

Dated at this the
.
SU/05.03.2020

COURT OFFICER

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