

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

WEDNESDAY, THE 26TH DAY OF FEBRUARY 2020

THE HON'BLE MR. JUSTICE SENTHILKUMAR RAMAMOORTHY

A.NO.835 OF 2020

IN

O.P.No.688 of 2011

In the matter of Indian Succession
Act, XXXIX of 1925

and

In the matter of Last Will and
Testament of S.Sivabai-Deceased.

1. BABY @ PREMA
W/O.P.VENGOBAN,
OLD NO.70, NO.17,
THIRUVALLUVAR NAGAR,
II CROSS STREET, BESANT NAGAR,
CHENNAI - 600 090

2. Mrs.PONNI
W/O.VELLIANGIRI,
NO.118, C BLOCK, KAKKAN COLONY,
BESANT NAGAR,
CHENNAI - 600 090

3. N.GOMATHI @ GOMATHI BAI
W/O.NAGENDRAN,
NO.18/60, GANGAIAMMAN KOIL STREET,
LAKSHMIPURAM,
THIRUVANMIYUR,
CHENNAI - 600 041

4. BALARAMAN

REP BY HIS POWER AGENT, MR.S.INIYAN,
NO.50, MARATIYAR THERRU,
PATTUKKOTTAI - 614 601

..Applicants/Petitioners

-vs-

1. S.ANANDARAMAN

S/O.SAMBAMURTHY RAO,
NO.5/126, WORKERS ESTATE,
FIRST MAIN ROAD,
NEELANKARAI,
CHENNAI - 600 041

2. NAGENDRAN

S/O.SAMBAMURTHY RAO,
NO.18/60, GANAGIAMMAN KOIL STREET,
LAKSHMIPURAM, THIRUVANMIYUR,
CHENNAI - 600 041

3. SURESH

S/O.SARALI,
NO.3/171 A, KALAINGNAR KARUNANIDHI STREET,
VISALATCHI NAGAR,
SATHOSAPURAM,
CHENNAI - 600 073

4. AMMU @ INDIRA

D/O.SARALI,
NO.7, RAJAPPA NAGAR, I CROSS STREET,
RAJ PALACE,
THIRUMANAARANGAM,
MEDICAL COLLEGE ROAD,
THANJAVUR - 613 007

..Respondents/Respondents

Application praying that this Hon'ble Court be pleased to pass an
order extending the time for execution of the bond as per the order dated

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

This application is filed for an extension of time for execution of the bond as per the order dated 12.02.2019 in O.P.No.688 of 2011, as extended by order dated 29.07.2019 and 18.10.2019.

2. I heard the learned counsel for the applicants/petitioners.

3. The learned counsel for the applicants submitted that O.P.No.688 of 2011 was allowed by order dated 12.02.2019, whereby the petitioners were directed to provide a bond for a sum of Rs.10,000/-. Although the draft bond was prepared and filed in the Registry on 26.03.2019, it was returned for rectification of certain defects. In those circumstances, A.No.5269 of 2019 was filed for an extension of time and the said application was allowed by order dated 29.07.2019. One more application bearing A.No.7763 of 2019 was filed for further extension of time which was allowed on 18.10.2019. However, on account of bereavement in the family of the learned counsel, the bond could not be executed. Therefore, the present application is filed.

4. I considered the submissions of the learned counsel and examined the affidavit in support of this application.

5. I find that two previous extension of time were granted to the

affidavit. As a final opportunity, I am inclined to allow this application and grant an extension of time for one month for execution of the bond. Accordingly, this application is allowed and the time for execution of bond is extended by a period of one month from the date of receipt of a copy of this order.

Sd/.S.K.R.J.

26.02.2020

//Certified to be a true copy//

Dated this the day of 2020.

SU/02.03.2020

COURT OFFICER

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