

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 20.08.2020

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

A.No.1658 of 2020

in

OP.No.515 of 1987

Mrs. A. Hameeda Banu

... applicant

Vs.

N. Rajagopal

...respondent

Prayer: Application filed under Orde4 XIV Rule 8 of O.S.Rules & Section 151 of CPC seeking to sell the property, since the applicant is not possessed with the copy of the probate order and Will of late R. Narasimachari referred above. The applicant being the present owner of the said property pray before this Court to order to issue a certified copy of the probate order in OP.No.515 of 1987 dated 08.01.1988 and affidavit of assets along with the copy of the Will dated 12.08.1986 executed by late R.Narasimachari to enable the applicant to proceed further relating to his proposed sale of the said property.

For Applicant : Mr. Jayakumar

ORDER

The above application is filed by the 3rd party to the proceeding seeking directions for grant of certified copy of the probate order in OP.No.515 of 1987 dated 08.01.1988 and the affidavit of assets and the copy of the Will dated 12.08.1986 executed by late R. Narasimachari.

2. The applicant would contend that he had purchased the property from the sons of R.Narasimachari under a sale deed dated 29.06.1990, registered as Document No. 1367 of 1990 on the file of the SRO, Mylapore.

3. The deponent would submit that he has now decided to sell the said property and he is not in a position to get a copy of the probate order and the Will of R.Narasimachari. Therefore he requires certified copy of the said order and the affidavit of assets and the Will.

4. Considering the fact that the applicant had purchased the property from the respondent-petitioner in the OP and his brothers, she is entitled to certified copy of the said documents which form part of title.

5. The application is therefore ordered and the Registry is directed to issue certified copies of the

- a) probate order in OP.No.515 of 1987 dated 08.01.1988.
- b) affidavit of assets filed in OP.No.155 of 1987
- c) Will dated 12.08.1986 executed by late R. Narasimachari, subject matter of OP.No.515 of 1987 as expeditiously as possible.

20.08.2020

Index : Yes/No
Speaking / Non-Speaking
mrn

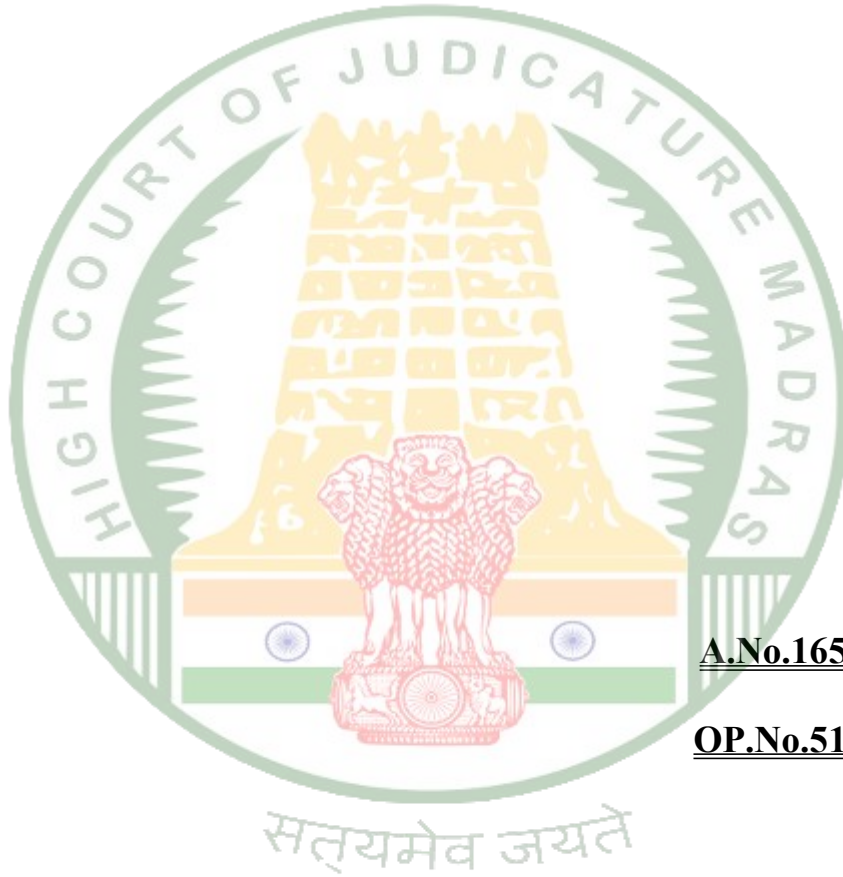
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