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IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

WEDNESDAY, THE 24TH DAY OF NOVEMBER 2021

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

O.P. No.948 of 2000

**O.P.NO.948 OF 2000:-**

In the matter of Indian Succession

Act of 1925 And

In the matter of last will of

Late.S.V.Rangaiah Chettiar, Ranga

Nlayam, Alms House Road, Ooty.

R.Balakrishnan,  
S/o.Late Rangaiah Chettiar,  
No.89, Ranga Nilayam,  
Alms House Road, Ooty.

...Petitioner

Versus

1.R.Chikraj,  
S/o.Late Rangaiah Chettiar,  
No.89, Ranga Nilayam,  
Alms House Road, Ooty.



2.R.Govindaraj (deceased),  
S/o.Late Rangaiah Chettiar,

1 & 2 are residing at:

No.89, Ranga Nilayam,  
Alms House Road, Ooty.

3.G.Saraswathi,  
W/o.Late Gawandaraj,  
No.84, Alms House Road,  
Ooty.

4.G.Ramesh,  
S/o.Late Gawandaraj,  
No.84, Ranga Nilayam,  
Alms House Road, Ooty.

5.Jayalakshmi,  
W/o.Srinivasan,  
114, A.K.Nagar,  
Saibaba Mission PO,  
Coimbatore – 641 011.

6.G.Anandakrishnan,  
S/o.Late Gawandaraj,  
No.84, Ranga Nilayam,  
Alms House Road, Ooty.

7.Sundhadevaki,  
W/o.RajaSakaran,  
9210, Red Wood Road N.E.  
B2141 Red Mond, W.A.98052.



8.Kempammal,  
W/o.Late.S.V.Rangaiah,  
89, Ranga Nilayam,  
Alms House Road, Ooty.

...Respondents

Original Petition praying that this Hon'ble Court be pleased to 1.the First Respondent/executor of the will dated 15.12.1986 of late Rangaih Chettiar namely Mr.R.Chikraj be removed and replaced with an other executor for the will as this Hon'ble court may deem fit.

2.Direct the first Respondent/Executor to submit the accounts from 15.12.1986 till date.

3.Pay the cost of the petition.

This Original Petition coming on this day before this court for hearing and the petitioner and the respondents herein, not appearing in person or by advocate and upon reading the petition filed herein and this court having observed that there is no representation on the side of the petitioner, hence, it can now be inferred that the petitioner is not interested to prosecute this petition, **it is ordered as follows:-**



WEB COPY That the O.P.No.948 of 2000, be and is hereby dismissed for non-prosecution.

2. That there shall be no costs.

WITNESS THE HON'BLE MR. JUSTICE SANJIB BANERJEE, CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE 24TH DAY OF NOVEMBER 2021.

Sd./-

ASSISTANT REGISTRAR (O.S.II)

//Certified to be true copy//

Dated at Madras this the      day of      2021.

COURT OFFICER(O.S.)

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02/12/2021

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O.P. No.948 of 2000

ORDER

DATED :24/11/2021

THE HON'BLE MR.JUSTICE  
ABDUL QUDDHOSE

FOR APPROVAL:21/01/2022

APPROVED ON:21/01/2022



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.11.2021

CORAM:

**THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE**

Original Petition No.948 of 2000

R.Balakrishnan

...Petitioner

Versus

1.R.Chikraj

2.R.Govindaraj (deceased)

3.G.Saraswathi

4.G.Ramesh

5.Jayalakshmi

6.G.Anandakrishnan

7.Sundhadevaki

8.empammal

...Respondents

Petition filed under Section 301 of the Indian Succession Act XXXIX of 1925.

For Petitioner : No appearance

ORDER

There is no representation on the side of the petitioner today.



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2. When the matter was taken up on 18.11.2021, there was no representation on the side of the petitioner. Hence the matter was ordered to be posted today under the caption "for dismissal".

3. Even today, when the matter is taken up, there is no representation on the side of the petitioner. Hence, it can now be inferred that the petitioner is not interested to prosecute this petition. Accordingly, the Original Petition is dismissed for non prosecution. No costs.

Sd./-A.Q.J  
24.11.2021

//Certified to be true copy//

Dated at Madras this the     day of     2021.

COURT OFFICER(O.S.)

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