



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

FRIDAY, THE 03RD DAY OF DECEMBER 2021

THE HON'BLE MR. JUSTICE N. SESHASAYEE

TOS No. 29 of 1997
(O.P.No. 451 of 1993)

In the matter of the Indian
Succession Act XXXIX of 1925;
AND
In the matter of the last Will and
Testament of S.S.Baggiammal-
Deceased.

A.H.Krishnamoorthy,
S/o.A.Hanumanthaiyer,
Old No.35, New N.14,
Salai Street,
Mylapore,
Chennai-600 004.

... Plaintiff

-Vs-

(*) 1. S.N.Balaraman (Deceased)

(*) 2. T.R.Saroja (Deceased)

(*) 3.S.R. Sridhar

(*) 4.S.R. Baskar

(*) 5.S.R. Gnanesh

(*) 6.S.R. Suresh

(*) D3 to D6 residing at New No.15,
Old No.26, Pillayar Kovil Street,
Walltax Road, Chennai-600 003.



(*) 7.T.R. Mothilal
Old No.18A, Manicka Street,
Chennai 600 112

(*) 8.J.S. Girija
No.176th Street,
Muttamil Nagar
Kodugaiyur, Chennai 600 118

(*) 9.N.P. Shanthi
Srinivasa Nagar
Madurai.

(*) D3 to 6 impleaded in the place
of the deceased 1st defendant and
D7 to D9 brought on record L.Rs
of the deceased 2nd defendant
as per order dated 04.09.2017 in
Appln.No.2474 and 3596/2017

... Defendants

Testamentary Original Suit praying that this Hon'ble Court be pleased
to allow the petitioner to prove the Will in common form and that probate
thereof to have effect throughout the State of Tamil Nadu may be granted to
him.

This Testamentary Original Suit coming on this day before this Court
for hearing in the presence of Mr.S.Balasubramanian, Advocate for the
plaintiff herein and upon reading the peition filed herein and the learned
counsel for the plaintiff having submitted that he has written instructions
from his client not to prosecute the case further,



WEB COPY

it is ordered as follows :-

That the T.O.S.No.29 of 1997 be and is hereby dismissed as not preseed.

2. That there shall be no costs of this suit.

WITNESS THE HON'BLE MR. JUSTICE MUNISHWAR NATH BHANDARI, ACTING CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE 03RD DAY OF DECEMBER 2021.

Sd./-

JOINT REGISTRAR (O.S)i/c

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.



4

KY

WEB COPY
20.01.2022

T.O.S No. 29 of 1997
(O.P.No. 451 of 1993)

ORDER

DATED : 03/12/2021

THE HON'BLE MR. JUSTICE
N. SESHASAYEE

FOR APPROVAL: 20.01.2022

APPROVED ON : 20.01.2022



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.12.2021

CORAM

THE HONOURABLE MR.JUSTICE N. SESHASAYEE

T.O.S. No. 29 of 1997

A.H. Krishnamoorthy

..Plaintiff

Vs.

1. S.N. Balaraman (deceased)
 2. T.R. Saroja (deceased)
 3. S.R. Sridhar
 4. S.R. Bhaskar
 5. S.R. Gnanesh
 6. S.R. Suresh
 7. T.R. Mothilal
 8. J.S. Girija
 9. N.P. Shanthi
- (D3 to D6 impleaded in place of deceased
1st defendant and D7 to D9 brought on
record as L.R.s of the deceased 2nd defendant
as per order dated 04.09.2017 in Application
No. 2474 and 3596 of 2017)

..Defendants

Prayer: Petition filed under Sections 222 and 276 of Indian Succession Act XXXIX of 1925, for the grant of probate. As per order of this Court dated 14.03.1997 in Application No. 68 of 1997 in T.O.S. No. 22 of 1992.



(O.P. No. 325 of 1990), the Original Petition No. 451 of 1993 has been converted into Testamentary Original Suit No. 29 of 1997.

For Plaintiff :: Mr.S. Balasubramanian

J U D G M E N T

Learned counsel for the plaintiff submits that he has written instructions from his client not to prosecute the case further.

2. Accordingly, T.O.S. No. 29 of 1997 is dismissed as not pressed. No costs.

Sd./- N.S.S.J.
03.12.2021

//Certified to be true copy//
Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)
From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.