

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.04.2021

CORAM

THE HON'BLE MR.JUSTICE M.M.SUNDRESH
and
THE HON'BLE MS.JUSTICE R.N.MANJULA

O.S.A.No.254 of 2018
and C.M.P.No.10846 of 2018

K.N.Ramanathan

.. Appellant

Vs

1.Lakshmi Ramachandran
2.S.Balasaraswathi
3.R.Rajeswari

... Respondents

Appeal filed under Order XXXVI Rule 11 of Original Side Rules and Clause 15 of the Letters Patent against the decree and judgment dated 08.02.2017 rendered in T.O.S.No.21 of 2004.

For Appellant : Mr.Pranava Charan
for Mr.R.Ravichandran

For Respondents : Mr.A.Abdul Hamed

JUDGMENT

(Delivered by M.M.SUNDRESH, J.)

Learned counsel appearing for the appellant seeks permission to withdraw the appeal with liberty to probate the earlier Will said to have been executed by the testator.

2.On the said request, we make it clear to the counsel that while there is no difficulty in giving permission to withdraw the appeal, it is only open to the appellant to probate the earlier Will. In that case, all the contentions are left open for both sides including the effect of the order passed by the learned single Judge in the present proceedings.

3.The original side appeal is dismissed as withdrawn with the aforesaid liberty. No costs. Consequently, connected miscellaneous petition is closed.

mmi

-s/d-

Deputy Registrar

True Copy

Sub-Assistant Registrar

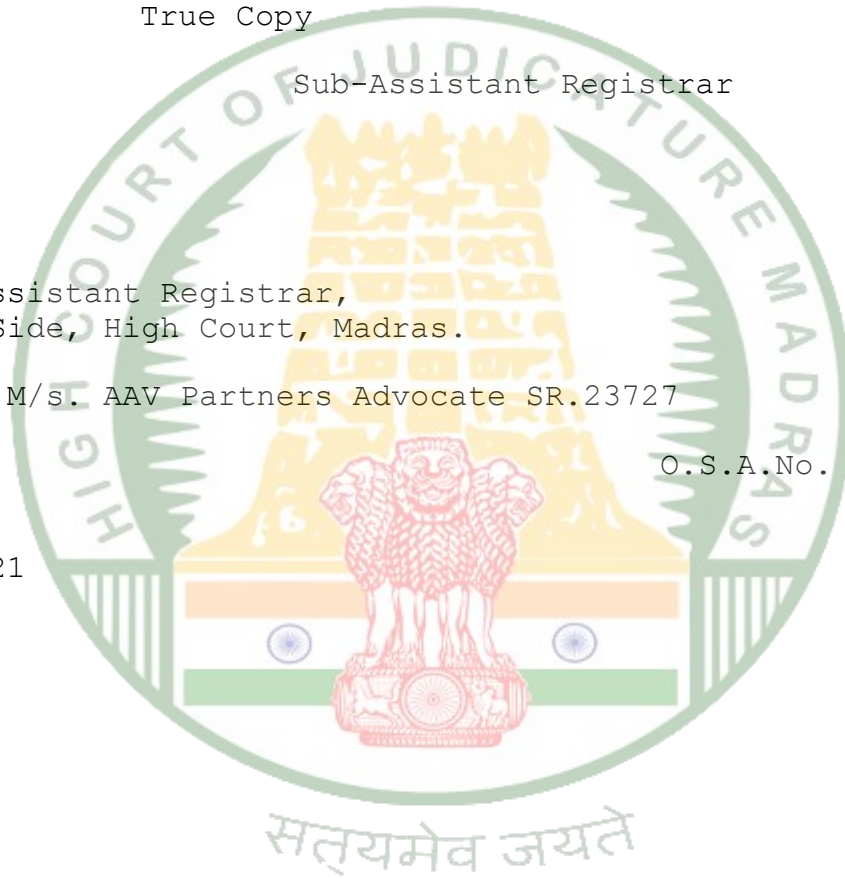
To

The Sub Assistant Registrar,
Original Side, High Court, Madras.

+ 1 cc to M/s. AAV Partners Advocate SR.23727

O.S.A.No. 254 of 2018

AK-II(CO)
EU 7.6.2021



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