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

MONDAY, THE 20TH DAY OF DECEMBER 2021

THE HON'BLE MR. JUSTICE N.SESHASAYEE

A.No.4423 of 2021

in

T.O.S.No.19 of 2015

In the matter of Indian Succession
Act 1925
and

In the matter of Last Will and
Testament of deceased Mrs.R.Kamala
Bai -Deceased

MR.S. KUMAR
S/O.LATE MR.SANJEEVI,
OLD NO.86 NEW DOOR NO.204,
SANJEEVIROYAN KOIL STREET,
OLD WASHERMENPET,
CHENNAI-600 021

..PETITIONER / PLAINTIFF

-Vs-

1. MRS.S.HAMSABAI
W/O.MR.C.SIVABHUSHANAM,
NO.4, METTU STREET LANE,
TIRUTTANI-631 209

2. MRS.S.SARALA
PLOT NO.2, GOMATHIPURAM,
THIRUNINDRAVUR-602 204



3. A.L.MURALI
NO.8, G.A.ROAD,
IIIRD LANE ,
OLD WASERMANPET,
CHENNAI-600 021.

..CAVEATORS/DEFENDANTS

A.No.4423 of 2021:

1. MRS.S.HAMSABAI
W/O.MR.C.SIVABHUSHANAM,
NO.4, METTU STREET LANE,
TIRUTTANI-631 209

2. MRS.S.SARALA
PLOT NO.2,
GOMATHIPURAM,
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3. MR.A.L.MURALI
NO.8, G.A.ROAD,
IIIRD LANE ,
OLD WASERMANPET,
CHENNAI-600 021.

..APPLICANTS/DEFENDANT

-VS-

MR.S. KUMAR
S/O.LATE MR.SANJEEVI,
OLD NO.86,
NEW DOOR NO.204,
SANJEEVIROYAN KOIL STREET,
OLD WASHERMENPET,
CHENNAI-600 021

..RESPONDENT/ PLAINTIFF



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This application praying that this Hon'ble court be pleased to direct the Respondent/Plaintiff to produce both their witnesses to be examined on same day, serve the proof affidavits and cross examined on the same day.

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

This application is taken out to direct the respondent or plaintiff to produce both their witnesses to be examined on some day, serve the proof affidavits and cross examine on the same day.

2.Learned counsel for the plaintiff would submit that he is only intent to examine only one attesting witness and that his affidavit of chief examination already been circulated to the other side.

3.Since the learned counsel for the plaintiff has already decided on the number of attesting witness to be examined, now it is open to the learned Master to fix a convenient date on which he may hold cross-examination of both the plaintiff as well as the attesting witness.



4.The plaintiff may notify to the learned Master the exact stage at which he can cross-examine both P.W.1 and the proposed attesting witness to the Will. In other words, the attesting witness is not required to be present on all the days on which P.W.1 is cross-examined. Accordingly, this application is disposed of.

Sd/.N.S.S.J.
20.12.2021

//Certified to be a true copy//

Dated this the day of 2021.

Su.28.12.2021

COURT OFFICER(O.S.)

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