



WEB COPY



A.No.4785 of 2021
in OP No.174 of 2017

ABDUL QUDDHOSE,J.,

This application has been filed to permit Mr.R.Sivanesan as third party witness to prove the signature of the testator viz., R.Rathina Naicker and one of the attesting witnesses of the Will by filing his third party affidavit and deposing his evidence to that effect in OP No.174 of 2017.

2. As seen from the affidavit, filed in support of the application, both the attesting witnesses to the Will executed by R.Rathina Naicker are no more. Mr.R.Sivanesan is known to one of the attesting witnesses viz., N.C.Sarangapani as Mr.R.Sivanesan claims that he is the family friend of the Testator of the Will and he wants to examine himself as witness to prove the Will of Testator R.Rathina Naicker in the place of N.C.Sarangapani, the first attesting witness to the subject will.

3. Having satisfied with the reasons stated in the affidavit, filed in support of the petition, this application is allowed as prayed for.

Post the matter before the learned Master for recording evidence on 07.01.2022.

20.12.2021