



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

MONDAY, THE 04TH DAY OF APRIL 2022

THE HON'BLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

T.O.S.No.33 of 1999
(O.P.No.432 of 1997)

In the matter of the Indian
Succession Act XXXIX of
1925, and
In the matter of Last Will
and Testament of R.T.D.Joseph-
Deceased.

Mrs. J. Alexis Joseph,
Plot No.W-20, Sector 'A',
13th Street, Anna Nagar,
Madras 600 101.

...Plaintiff

.Vs.

1.Marry Meganathan,
57 B/4, Bucklepuram,
2nd Street, Tuticorin 628 003.

2.Shanti Joseph,
E-7, N.P.L.Colony,
New Rajendra Nagar,
New Delhi 110 060.

3. Vasantha George,
30, L.I.C.Colony,
West Extension,
Thanjavur 613 007.

4. Anthony Joseph,
D-25, Aavas Vikas Colony,



Mall Avenue, Lucknow 226 001.

5. Fatima Rita Lourdusamy
36, Bishop's Road,
Puthur,
Tiruchirapalli 620 017.

... Defendants

Testamentary original suit praying that this Hon'ble Court be pleased to allow the petitioner to prove the Will of late Mr.R.T.D.Joseph executed on 28.11.1996 in common form and probate thereof to have effect throughout the whole of Union of India may be granted to the petitioner.

This Testamentary Original Suit coming on this day before this Court for hearing, both the Plaintiff and Defendants herein not appearing in person or by advocate and upon reading the Petition filed herein,

It is ordered as follows:

That the suit in T.O.S.No.33 of 1999 be and is hereby dismissed for non prosecution.

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

WITNESS THE HON'BLE MR.JUSTICE MUNISHWAR NATH
BHANDARI CHIEF JUSTICE, HIGH COURT AT MADRAS
AFORESAID, THIS THE 04TH DAY OF APRIL 2022.

Sd./-

JOINT REGISTRAR(O.S)

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)



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08.06.2022

T.O.S. No.33 of 1999
(O.P.No.432 of 1997)

ORDER

DATED 04.04.2022

THE HON'BLE MRS.JUSTICE
V.BHAVANI SUBBAROYAN

FOR APPROVAL: 08.06.2022

APPROVED ON : 08.06.2022



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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.04.2022

CORAM

THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

T.O.S. No.33 of 1999

in

O.P. No.432 of 1997

Mrs. J. Alexis Joseph

...Plaintiff

.Vs.

1.Merry Meganathan,
2.Shanti Joeph,
3. Vasantha George,
4. Anthony Joseph,
5. Fatima Rita Lourdusamy

... Defendants

Prayer:

T.O.S. Numbered on conversion of O.P No.432 of 1997 as per Order dated 09.11.1999 in O.P.No.432 of 1997 has been filed praying for the grant of Probate.

For Plaintiff : No Appearance

For Defendants : No Appearance

J U D G M E N T

When the matter was listed on 10.03.2022, there was no representation for the plaintiff and the matter was directed to post on 30.03.2022 for getting instruction and filing draft issues.



2. When the matter again came up for hearing on 30.03.2022, there was no representation for the plaintiff as well as the defendants and hence, the matter was directed to be listed on 04.04.2022 under the caption "for dismissal".

3. Despite the same, even today, there is no representation on behalf of the plaintiff as well as the defendants.

4. In view of the above, the Testamentary Original Suit stands dismissed for non prosecution. No Costs.

Sd./-V.B.S.J
04.04.2022

//Certified to be true copy//

Dated at Madras this the day of 2022

COURT OFFICER(O.S.)

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