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A.No.389 of 2022 in
O.P.No.138 of 2018

P.VELMURUGAN, J.

This application has been filed by the applicant seeking permission of this Court to implead himself as a party respondent in this petition.

2. The learned counsel for the applicant has stated that as the first respondent Jayavel who is the husband of the testatrix Paapammal, is no more, the petitioner is trying to get an order without impleading the applicant and other relatives and as such, OP itself is not maintainable. He would also submit that the deceased Paapammal has not executed any Will and as such, Paapammal's Will is a bogus document.

3. Learned counsel for the first respondent would submit that the previous rounds of litigation also dismissed for default with regard to the subject Will executed by the testatrix Paapammal.

4. The first respondent is the executor and the second respondent is a beneficiary, under the Will executed by the testatrix Paapammal who died issueless. Jayavel who is the husband of the testator also died during the pendency of this petition. There is no other legal heir for the deceased testatrix. Therefore, this Court is of the considered view that the applicant herein is neither necessary nor a proper party.

4. Accordingly, this application is dismissed.

18.02.2022

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