



A.No.1397 of 2022

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in O.P.No.389 of 2021

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C.V.KARTHIKEYAN,J.,

This application has been filed by the 2nd respondent in O.P.No.389 of 2021 seeking a direction to the 6th respondent therein, namely, the Indian Bank, Chetpet Branch, Chennai-10, to furnish the details of the bank accounts and various deposits operated by the deceased Dr.Bala Hari Pillai.

2. Notices was directed to the Indian Bank, but the Manager had not responded to the said notice.

3. This necessitated the Court to issue process which finally made the Manager realized that he should respond to the notice and had actually appeared before the Court.

4. Consequent to the nature of the application filed, it is represented by the learned counsel for the 6th respondent that necessary Statement of Accounts had been filed in the Court.

5. The evidentiary value of the said statement can be tested, if at all, the deceased had also mentioned that particular bank account in the course of the Will, which is the subject matter of the letters of administration now sought by the petitioner in the Original Petition.



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6. But it is the grievance of the present petitioner in this application that the said account had been suppressed in the Original Petition as a schedule.

7. The schedule to the petition seeking probate or seeking letters of administration with Will annexed can be restricted only to the bequeath made in the Will and cannot be expanded further. If there are other properties, it is for the parties to assert their right and title and seek share in such properties in separate suit. But that cannot be the subject matter of the present Original Petition.

8. The Court is not deciding title, but only examining whether the Will, had been executed in manner known to law, had been written down in manner known to law and had been proved in manner known to law.

9. I would therefore dispose of the said application, but however, retain the statement as produced. The parties may work out their remedies of such statement which is already part of the Court records.

10. With the above observation, the application stands disposed of.

14.11.2022
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A.No.4158 of 2022 in O.P.No.389 of 2021