



A.Nos.2716 to 2718 of 2022
in O.P.No.616 of 2008

C.V.KARTHIKEYAN, J.

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These applications have been filed seeking to condone the delay of of 6990 days in filing application to set aside abatement of O.P.No.616 of 2022, to set aside abatement and to bring on record the legal representatives.

2. The executor of the Will had died. His legal representatives cannot be brought on record. But the beneficiaries under the Will now seek to prove the Will in normal form. The character of the petition will have to be however changed from probate to Letters of Administration with the Will annexed. But the Will, will have to be proved and though the delay is substantial, the Court has a duty to examine the same.

3. In view of that fact, I would allow all these applications, condone the delay and set aside the abatement and bring on record the applicants as stated in A.No.2718 of 2022 as the petitioners in the Original Petition.

4. Registry to take note and follow the procedure to convert this particular petition for grant of probate to one for Letters of Administration with the Will annexed.

5. It appears that there are two matters which appear to be connected. If the learned counsels are of the opinion that they must be heard along with this present petition then necessary orders must be obtained in proper manner in accordance with the procedure of this Court.

13.09.2022

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