



T.O.S. No.46 of 2018

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 22.12.2022

CORAM : JUSTICE N.SESHASAYEE

T.O.S. No.46 of 2018

Dr.Mohana Samson

.... Plaintiff

Vs

V.G.Srinivasan

.... Defendant

Prayer : Testamentary Original Suit filed under Sections 232 and 276 of the Indian Succession Act for issuance of Probate of the Will dated 19.05.1999 under Order XXV Rule 5 of Original Side Rules.

For Plaintiff : Mr.Harish Choudhary
for M/s.T.M.Naidu & Co

For Defendant : Mr.R.Thiagarajan



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JUDGMENT

Learned counsel appearing for the plaintiff submitted that he has instructions to withdraw the testamentary original suit essentially because, vide a supervening impossibility, the plaintiff has lost whatever benefit she could have obtained in the eventuality of the Will getting probated by this court. He has also made necessary endorsement to that effect in the case bundle.

2. Recording the statement and the endorsement made by the learned counsel appearing for the plaintiff, this testamentary original suit is dismissed as not pressed. No costs. Registry is required to refund the court fee, as per the rules.

22.12.2022

Asr



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N.SESHASAYEE.J.,

Asr

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