



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

WEDNESDAY, THE 02nd DAY OF MARCH 2022

THE HON'BLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

T.O.S.No.5 of 2016

In the matter of the Indian Succession
Act XXXIX of 1925, and

In the matter of Certified Copy of
Last Will and Testament of
J.Marutheesan - Deceased.

M.Balasundaram,
S/o. J.Marutheesan,
Plot No.2, Punithavathy Colony,
1st Street, Gowrivakkam,
Chennai - 600 073.

...Petitioner/Plaintiff

-VS-

V.Gunasundari,
W/o. S.Varadan,
Old No.288/20, Sakthi Bhavan,
Kunnoor High Road,
Ayanavaram, Chennai - 600 023.

...Caveator/Defendant

Testamentary Original Suit praying that this Hon'ble Court be pleased
to grant Letters of Administration with the Will Annexed to the Petitioner
herein, who is 1st son of the Testator and one of the legatee under the Will of
the deceased having effect limited to the state of Tamilnadu.



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This Testamentary Original Suit coming on this day before this court for hearing in the presence of Mr.T.S.Baskaran, Advocate for the plaintiff herein and Mr.G.I.Ilamurugu, Advocate for the defendant herein and upon reading the Petition filed herein, and the memo dated 16.02.2022, filed by the learned counsel for the plaintiff stating that the present Testamentary Original Suit is settled out of Court, therefore, sought permission of this Court to withdraw the present suit, **it is ordered as follows:-**

That the present Testamentary Original Suit in T.O.S.No.5 of 2016 be and is hereby dismissed as withdrawn.

2) That there shall be no costs.

WITNESS THE HON'BLE MR. JUSTICE MUNISHWAR NATH BHANDARI, CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE 02nd DAY OF MARCH 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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10.03.2022

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T.O.S.No.5 of 2016

ORDER

DATED : 02.03.2022

THE HON'BLE MRS.JUSTICE
V.BHAVANI SUBBAROYAN

FOR APPROVAL: 10.03.2022

APPROVED ON: 14.03.2022



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 02.03.2022

CORAM

THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

T.O.S.No.5 of 2016

M.Balasundaram

... Plaintiff

Vs.

V.Gunasundari

... Defendant

Testamentary Original Suit filed under Sections 232 and 276 of the Indian Succession Act XXXIX of 1925 praying for the grant of Letters of Administration.

For Plaintiff : Mr.T.S.Baskaran

For Defendant : Mr.G.I.Ilamurugu

J U D G M E N T

The learned counsel for the plaintiff has filed a memo of withdrawal dated 16.02.2022 on behalf of the plaintiff stating that the present

Testamentary Original Suit is settled out of Court. Therefore, sought



permission of this Court to withdraw the present suit,

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2. In view of the submission and the memo of withdrawal dated 16.02.2022 filed by the learned counsel for the plaintiff, the present Testamentary Original Suit is hereby dismissed as withdrawn. No costs.

Sd/-V.B.S.J.
02.03.2022

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

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