



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

THURSDAY, THE 03RD DAY OF MARCH 2022

THE HON'BLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

T.O.S.No.21 of 2014

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

In the matter of Last Will and
Testament of Mallappa Chowdry -
Deceased.

Murugayee,
W/o. Late Mallappa Chowdry,
No.9/4, Block, 7th Street,
Ezhil Nagar, Chennai - 600 118

...Petitioner/Plaintiff

-VS-

Jayalakshmi,
D/o. Late Mallappa Chowdry,
No.143, Solayappan Street,
Old Washermenpet,
Chennai - 600 021.

...Caveator/Defendant

Testamentary Original Suit praying that this Hon'ble Court be pleased
to Letters of Administration with the Will Annexed may be granted to her as
the Second Wife / legatee under the will of the said deceased having effect
limited to the state of Tamil Nadu.



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This Testamentary Original Suit coming on this day before this court for hearing, the plaintiff and the defendant herein not appearing in person or by advocate and upon reading the petition filed herein, and this Court having observed that there was no representation on both sides, **it is ordered as follows:-**

That the Suit in T.O.S.No.21 of 2014 be and is hereby dismissed for non-prosecution.

2) That there shall be no order as to costs of this suit.

WITNESS THE HON'BLE MR. JUSTICE MUNISHWAR NATH BHANDARI, CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE 03RD 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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ARS

17.03.2022

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T.O.S.No.21 of 2014

ORDER

DATED : 03.03.2022

THE HON'BLE MRS.JUSTICE
V.BHAVANI SUBBAROYAN

FOR APPROVAL : 21.03.2022

APPROVED ON : 22.03.2022



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.03.2022

CORAM:

THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

TOS.No.21 of 2014

Murugayee

...Plaintiff

Vs.

Jayalakshmi

...Defendant

Prayer: Petition filed under Sections 232 and 276 of the Indian Succession Act XXXIX of 1925 for the grant of Letters of Administration. Against this petition a Caveat was filed on the 3rd day of December 2013 by the Caveator above named. The supporting affidavit was filed on 13th day of December 2013. As per order of Court dated 30.01.2014 in O.P.No.710 of 2010 the Original Petition is directed to be converted into Testamentary Original Suit.

For Plaintiff : No appearance

J U D G M E N T

The Original Petition has been filed for grant of Letters of Administration with the Will annexed which has been converted as a Testamentary Original Suit.



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2. When the matter was taken up for hearing on 23.02.2022, there was no representation on both sides and the matter directed to be listed on 01.03.2022.

3. When the matter was taken up for hearing on 01.03.2022, there was no representation on both sides and the matter directed to be listed under the caption “for dismissal” on 03.03.2022.

4. When the matter is taken up for hearing on 03.03.2022 (today), there is no representation on both sides.

5. In view of the above, this suit is dismissed for non-prosecution. There shall be no order as to costs.

Sd/-V.B.S.J.

03.03.2022

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

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