



A. No.5212 of 2022 in T.O.S. No.35 of 2022

A. No.5212 of 2022 in T.O.S. No.35 of 2022

G.CHANDRASEKHARAN,J.

This Application is filed to receive the original Will of the defendant dated 16.10.2020 and the original order passed by the Bar Council of Tamil Nadu and Puducherry on 10.10.2022 as exhibits on the side of the applicant/plaintiff.

2.The learned counsel for the applicant submitted that the original Will dated 16.10.2020 was not filed along with the plaint and therefore, the original Will of the respondent/defendant, which sought to be received, is necessary document to support the case of the applicant/plaintiff. That apart, the respondent/defendant lodged a complaint against the applicant/plaintiff in Bar Council of Tamil Nadu and Puducherry alleging that the Will dated 16.10.2020 was taken by the applicant/plaintiff. The Bar Council, after enquiry found that allegation was not proved and therefore, the order of the Bar Council is also necessary.



WEB COPY



A. No.5212 of 2022 in T.O.S. No.35 of 2022

G.CHANDRASEKHARAN,J.

vga

3.This application is opposed by the learned counsel for the respondent on the ground that issues were framed on 30.09.2022 and that the applicant/plaintiff is protracting the proceedings.

4.Considering the submissions made by both sides and the facts and circumstances of the case, this Court is of the view that these two documents are necessary for proving the case of the applicants. Therefore, this application is allowed and the original Will dated 16.10.2020 and the original order of the Bar Council of Tamil Nadu and Puducherry dated 10.10.2022 are ordered to be received as exhibits.

5.Learned Master is directed to expedite the process of recording of evidence and complete the same within a period of one month from the date of receipt of the records. The parties are directed to appear before the learned Additional Master No.2 on 05.12.2022.

28.11.2022

vga

2/3



WEB COPY



A. No.5212 of 2022 in T.O.S. No.35 of 2022

A. No.5212 of 2022 in T.O.S. No.35 of 2022