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T.O.S.No.13 of 2004

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.08.2023

CORAM

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

T.O.S.No.13 of 2004

M.R. Girija

...Plaintiff

.Vs.

1.Skanda Priya Ganesan,

2.Master Omkar (Minor)

3.Master Pranav (Minor)

... Defendant

(2nd and 3rd defendants rep. by their mother and natural guardian
Skanda Priya Ganesan)

Prayer:

This Suit filed under Sections 222, 255 and 276 of the Indian
Succession Act XXXIX of 1925 and Order XXV Rule 4 of O.S.Rules for
the grant of probate.

For Plaintiff : No Appearance

For Defendants :Ms.R.V. Gayatri

(for M/s.P.B. Ramanujam)

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**A.A.NAKKIRAN.,J**

Lbm

J U D G M E N T

On the earlier occasion, the learned counsel for the plaintiff submitted that he had received no instruction from the plaintiff and filed a memo enclosing a copy of the letter along with delivery report. Hence, this Court directed the Registry to print the name of the plaintiff in the cause list issuing notice to her and list the matter under the caption “for dismissal” on 30.08.2023.

2. Even today, ie.30.08.2023, despite the name of the plaintiff has been printed in the cause list and notice served on the plaintiff, there is no representation for the plaintiff either in person or through counsel. Therefore, the Testamentary Original Suit is dismissed for non prosecution. Consequently, connected Miscellaneous Petition is also closed if any. No costs.

30.08.2023

Lbm

Index : No
Internet : Yes

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