



T.O.S.No.4 of 2009

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Date : 12.12.2023

CORAM:

THE HON'BLE MR.JUSTICE A.A.NAKKIRAN

T.O.S.No.4 of 2009

(O.P No.759 of 2007)

C.Kumaran

.. Plaintiff

..Vs.

Nithya @ Seetha,

(Defendant was declared as major
as per order in A.No.6597 of 2010
dated 13.10.2017)

.. Defendant

Prayer: Original Petition has been filed under Sections 232 and 276 of the Indian Succession Act of XXXIX of 1925 for the grant of Letters of Administration in respect of the last Will and Testament of the deceased Saraswathy. Against this petition, a Caveat and supporting affidavit was filed by the Caveator. As per order of this Court, the Original Petition No.759 of 2007 was converted into Testamentary Original Suit No.4 of 2009.



T.O.S.No.4 of 2009

For Plaintiff : Mr.A.P.Kannan

For Defendant : Party in person

J U D G M E N T

When the matter was taken up today, the learned counsel for the plaintiff and the defendant/party-in-person submitted that the matter has been settled between the parties. Pursuant to the same, they have filed a Joint Compromise Memo dated 08.12.2023 before this Court which has been duly signed by both the parties and the counsel for the plaintiff. The said Joint Compromise Memo is recorded.

2. In view of the same, the suit is disposed of. The above Joint Compromise Memo shall form part of the decree. The Court Fee is ordered to be refunded as per law.

12.12.2023

Index:Yes/No
Speaking/Non-speaking order
uma



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T.O.S.No.4 of 2009

A.A.NAKKIRAN,J.
uma

T.O.S.No.4 of 2009

12.12.2023



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T.O.S.No.4 of 2009

List of witnesses examined on the side of the plaintiff

4/6



T.O.S.No.4 of 2009

PW1 C.Kumaran

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List of documents marked on the side of the plaintiff

Ex.P1 01.09.1999 Original Will

List of witnesses examined on the side of the defendant

DW1 G.Nithya @ Seetha

List of documents marked on the side of the defendant:

Ex.D1 28.09.1992 Certified copy of Adoption Deed

Ex.D2 31.10.2017 Online copy of death certificate of deceased Gopalakrishnan

Ex.D3 30.12.2015 Online copy of the death certificate of deceased Saraswathi

Ex.D4 21.04.2008 Certified copy of sale agreement.

Ex.D5 22.07.2023 Online copy of death certificate of deceased Vasantha

Ex.D6 ... Fees Remittance Booklet for 2000-2001

Ex.D7 ... Original Memorandum of Understanding entered between the plaintiff and the defendant.

Ex.D8 12.04.2023 Online copy of legal heir certificate of deceased Gopalakrishnan.



T.O.S.No.4 of 2009

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Ex.D9 23.06.2006

Certified copy of Relationship certificate

Ex.D10

Original Family Card of Saraswathi reflecting the name of the defendant from 1998-2003.

Ex.D11 05.01.2022

TSLR Extract of the property in the name of the defendant.

Ex.D12 05.07.2023

Online copy of property tax receipt in the name of the defendant.

Ex.D13 ...

Photo of the defendant along with the deceased Saraswathi.

Ex.D14 10.04.2018

Xerox copy of legal heirship certificate of Saraswathi.

12.12.2023