



T.O.S No.1 of 2005

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.08.2023

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

T.O.S No.1 of 2005
(O.P No.167 of 2004)

Amarlal J.Hinduja

... Plaintiff

Vs.

Anjana S.Bakthani

... Defendant

Prayer: Original Petition has been filed under Sections 222 and 276 of the Indian Succession Act, XXXIX of 1925 read with Order XXV Rule 4 of the Original Side Rules for the grant of probate in respect of the last Will and Testament of the deceased Leela J.Hinduja. Against this petition, a Caveat and supporting affidavit was filed by the Caveator. As per order of this Court dated 19.01.2005, the Original Petition was converted into Testamentary Original Suit No.1 of 2005.

For Plaintiff : No Appearance

For Defendant : No Appearance



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A.A.NAKKIRAN,J.

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J U D G M E N T

When the matter was taken up for hearing on 02.08.2023 , there was no representation on behalf of the plaintiff and hence, this Court directed the Registry to issue summons to the plaintiff and also print the name of the plaintiff in the cause list and post the matter on 25.08.2023. Even today, (25.08.2023) the plaintiff is not appeared before this Court and the summons issued to the plaintiff was returned with an endorsement "vacated". Hence, this Testamentary Original Suit is dismissed for non-prosecution. No costs.

25.08.2023

Index: Yes/No
Speaking/Non-speaking Order
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