



T.O.S No.19 of 2005

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Date : 05.09.2023

CORAM:

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

T.O.S.No.19 of 2005

(O.P No.448 of 2004)

G.C.Franklin

... Plaintiff

vs.

1.Therasa

2.Reeta

3.G.C.George

... Defendants

Prayer: Original Petition has been filed under Sections 232 and 276 of the Indian Succession Act r/w Order XXV Rule 5 of O.S Rules, praying for grant of Letters of Administration in respect of last Will and Testament of the deceased Mrs. Raniammal. Against this petition, Caveat and supporting affidavit were filed by the Caveators. As per order of this Court, the Original Petition No.448 of 2004 was converted into Testamentary Original Suit No.19 of 2005.

For Plaintiff : No Appearance

For Defendants : No Appearance



WEB COPY



T.O.S No.19 of 2005

A.A.NAKKIRAN,J.

uma

J U D G M E N T

When the matter was taken up for hearing on 22.08.2023, the learned counsel for the plaintiff submitted that he had given change of vakalat and hence, this Court directed the Registry to remove the name of the plaintiff's counsel; print the name of the plaintiff and also issue notice to the plaintiff returnable by 05.09.2023. Even today (05.09.2023), the plaintiff is not appeared before this Court and the notice sent to the plaintiff was returned with an endorsement “vacated. Hence, the Testamentary Original Suit is dismissed for non-prosecution. No costs.

05.09.2023

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

T.O.S.No.19 of 2005