



WEB COPY



TOS.No.11 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.07.2023

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

TOS.Nos.11 of 2020 & 45 of 2021
(OP.Nos.271 of 2019 & 179 of 2021)

Cause-title in TOS.Nos.11/2020
(OP.No.271/2019)

R.Naga Rani

..Petitioner in OP.No.271/2019

Vs.

1.R.Jamuna Rani

2. R.Ravi

.. Respondents in OP.No.271/2019

Cause-title in TOS.No.45 /2021
(OP.No.179/2021)

R. Ravi

..Petitioner in OP.No.179/2021

vs.

1.R.Jamuna Rani

2. R.Naga Rani

.. Respondents in OP.No.179/2021

PRAYER IN TOS.Nos.11/2020 (OP.No.271 of 2019): Petition filed under Sections 222 & 276 of the Indian Succession Act, 1925 read with Order XXV Rule 4 of the Original Side Rules to allow to prove the WILL in common form and that probate thereof, to have effect throughout the whole of limited to the State of Tamil Nadu may be granted to her.



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Prayer in TOS.No.45/2021 (OP.No.179/2021) : Petition filed under

Sections 232 & 276 of the Succession Act, 1925 read with Order XXV Rule 5 of Original Side Rules to grant the letter of administration with the last WILL and testamentary dated 06.04.2006 annexed to the property and credits to the petitioner as son/beneficiary under the WILL of the deceased limited to the State of Tamilnadu.

For Plaintiff : M/s. V.G.Anbarasu
(in TOS.No.45/2021)

For Defendants : Mr.K.Dhananjayan

For Plaintiff : Mr.K.Dhananjayan
(in TOS.No.11/2020)

For Defendant No.2 : M/s. V.G.Anbarasu
(in TOS.No.11/2020)

COMMON JUDGMENT

The Suit in TOS.Nos.11 of 2020 is filed to allow to prove the WILL in common form and that probate thereof, to have effect throughout the whole of limited to the State of Tamil Nadu may be granted to her.

The Suit in TOS.No.45 of 2021 is filed to grant the letter of administration with the last WILL and testamentary dated 06.04.2006 annexed to the property and credits to the petitioner as son/beneficiary under the WILL of the deceased limited to the State of Tamilnadu.



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2. The learned counsel on either side have submitted that the matter has been settled between the parties before the Mediation Centre attached to this Court and they have entered into a compromise. Pursuant to the same, they have filed a Memorandum of Understanding dated 21.06.2023 which has been duly signed by them and their respective counsel.

3. In the result,

i- a) The TOS.No.11 of 2020 is dismissed..

i-b) The TOS.No.45 of 2021 is allowed in terms of memorandum of Understanding.

(ii) The Letters of Administration, having effect limited to the State of Tamil Nadu, shall be issued in favour of the plaintiff in respect of the Will executed on 06.04.2006 by C.Rajaram in favour of Mr.R. Ravi, son of deceased C. Rajaram.

(iii) The plaintiff is directed to duly administer the estate of the deceased.



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(iv) The plaintiff shall execute a security bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) in favour of the Assistant Registrar (O.S.-II), High Court, Madras.

(v) The plaintiff is further directed to render true and correct accounts once in a year.

(vi) No costs.

03.07.2023

Index: Yes/No

Internet: Yes/No

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