



A.Nos.2135 & 2136 of 2024
in TOS.No.9 of 2011

P.B.BALAJI, J.,

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These applications have been filed to re-open the chief examination of P.W.1 and permit the applicant to file additional proof affidavit; to receive the following additional documents, numbering 7 documents as set out in the judges summons to the applicants.

2.The learned counsel for the respondent/defendant in both the applications vehemently opposed the said applications. However, on going through the averments set out in the affidavits, I find that the partition suit is pending in O.S.No.1919 of 2007 on the file of the XIII Assistant City Civil Court, Chennai and the same pertains to the very same property, which is subject matter of the Will. Hence, no prejudice would be caused to the respondent/defendant, if the applications are allowed.

3.In fine, A.No.2135 of 2024 is allowed in the interest of justice and A.No.2136 is allowed subject to admissibility, proof and relevancy.

4.Post the TOS.No.9 of 2011 before the Additional Master IV on 25.04.2024.

17.04.2024

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