



A.No.3267 of 2024
and
C.S. No.80 of 2006

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P.B.BALAJI, J.

This Application is taken out by the Applicant to summon and send for the original Will dated 15.12.1979 of late Mr.V.K.Ramasamy Mudhaliar and along with the Petitions and order of Probate dated 03.02.1988 in O.P.No.34 of 1988 on the file of this Court and direct the production of the same before this Court in the above Civil Suit.

2. I have heard Mr.R.Srinivas, learned Senior Counsel for Ms.Veena Suresh, learned counsel for the petitioner and Mr.K.Kumar, learned counsel for R2 to R4.

3. The learned counsel for the respondent has no serious objection for the said Application being allowed.

3. I have also gone through the affidavit filed in support of the above Application. In the suit for partition, both the plaintiff and defendants are claiming the estate of father who got his right under the Will, which has been probated under the above mentioned OP. Hence, the documents are necessary



P.B.BALAJI, J.

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and vital for the purpose of deciding the suit and no prejudice would be caused if the petition being allowed. Accordingly, this Application is allowed.

4. Post the matter before the learned II Additional Master for recording evidence of P.W.1. The parties shall co-operate with the learned II Additional Master for completing the evidence on or before 30.08.2024.

05.07.2024

rkp

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