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A.Nos.2989 & 2990 of 2024

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in C.S.DR.No.12217 of 2024

C.V.KARTHIKEYAN, J.

The suit had been filed seeking partition and separate possession of the suit schedule properties and also for a declaration that a Will said to have been executed by Susheeladevi on 22.12.2019 is a forged document.

2. Among the properties for which partition is sought, one property is within the jurisdiction of this Court and three properties which has been described in Schedules II, III & IV are situated outside the jurisdiction of this Court. Taking into consideration that in a partition suit, all the properties which are available for partition should be included, and a part of cause of action has arisen within the jurisdiction of this Court, the application in A.No.2990 of 2024 stands allowed.

3. This application in A.No.2989 of 2024 has been filed seeking leave to sue against the 2nd and 9th defendants, who are residing outside the jurisdiction of this Court. It is seen that the 2nd defendant, who is one of the beneficiary under the Will, is residing outside the jurisdiction of this Court



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and 9th defendant, who is not a beneficiary of the Will but has a caveatable interest is also residing outside the jurisdiction of this Court. In view of that particular fact, this application in A.No.2989 of 2024 stands allowed.

4. Leave is granted. Registry is directed to number the suit, if it is otherwise in order.

26.06.2024

gsa



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