



A.No.6252 of 2024 in T.O.S No.13 of 2018

A.A.NAKKIRAN, J.

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This application has been filed by the applicant/defendant to frame additional issues in T.O.S No.13 of 2018 as mentioned in the schedule to the Judge's summons.

2. Heard both side.

3. The learned counsel for the respondent/plaintiff strongly opposed to frame the additional issues 1 to 6 as mentioned in the Judge's summons.

4. Though the learned counsel for the respondent/plaintiff raised serious objection, having satisfied with the reasons stated in the affidavit filed in support of the application, this Court is inclined to frame the following additional issues (i.e additional issues 2, 3 and 4 as mentioned in the Judge's Summons):

1. Whether the plaintiff is liable for committing fraud for utilizing the Will dated 20.09.1984 to get monitory benefits from government authorities and others without obtaining letters of administration?

2. Whether the letters of administration proceedings lacks with limitation act?

3. Is the subject matter of the Will hit by the reason of 'suspicious circumstances' due to suppression of earlier Registered Will by the testator?

5. Accordingly, this application is partly allowed.



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6. The Registry is directed to list the matter before the Additional Master-II for recording evidence on 08.01.2025.

18.12.2024

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