



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 22.04.2025

WEB COPY

Coram:
The Honourable Mr.Justice C.SARAVANAN

Application No.1518 of 2025
in T.O.S.No.70 of 2016

C.Dhanammal

...Applicant

Versus

1.Mrs.Reji Florence
2.V.Santhosh Madhan Raj
3.A.Vijayakumar
A.Mashaik Solomon (Deceased)
4.A.Francis
5.Mrs.Porchelvi
6.Mr.Arun Kumar
7.Mrs.Amulya

...Respondents

Prayer:

Application filed under Order XIV Rule 8 of O.S.Rules r/w. Section 281 of Indian Succession Act praying to accept the 3rd party affidavit of Mr.William Samraj to identify the Tester Signature in the place of the attesting witnesses namely Mrs.M.C.Hemavathy and Mr.C.Ramachandran.

For Applicant : Mr.M.Baskaran

For Respondents – 1 to 4 : Mr.N.Selvarajan

For Respondents – 5 & 7 : Mr.A.Muthukumar

For Respondent – 6 : Mr.V.S.Gnanasambanthan



ORDER

WEB COPY This Application has been filed by the Applicant/Plaintiff praying to accept the 3rd party affidavit of Mr.William Samraj to identify the Tester Signature in the place of the attesting witnesses namely Mrs.M.C.Hemavathy and Mr.C.Ramachandran.

2. Today, when this Application was taken up for consideration, the learned counsel for the Applicant/Plaintiff sought the permission of this Court to withdraw the present Application and also, he made an endorsement to that effect in the Application.

3. Considering the request as well as the endorsement made by the learned counsel for the Applicant/Plaintiff, this Application is dismissed as withdrawn. However, liberty is granted to the Applicant/Plaintiff to file a suitable Application for issuance of subpoena to the two attesting witnesses of the Will dated 22.09.2003 which was executed by one Mr.D.Arumainayagam (father-in-law of the Plaintiff & father of the Respondents 3 & 4).

22.04.2025

mrr

Index : Yes/No

Speaking Order (or) Non Speaking Order



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C.SARAVANAN, J.

mrr

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