



A.No. 3366 of 2025
and
T.O.S. No. 38 of 2011

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.08.2025

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

A.No. 3366 of 2025
in
T.O.S. No. 38 of 2011

1.M.K.Kalai Selvam
M.K.Muthamil Selvam (deceased)
2.M.K.Senthamarai Selvam
3.Poosammal
4.P.Sukumari
5.P.Manimegalai
6.P.Selambarasan
The above 4 to 7 applicants are legal heirs of M.K.Panneerselvam
7.M.Rajakumari
8.M.Murali
9.M.Priya

...Applicants

Vs.

V.Malarkodi (deceased)
1.M.Meiyazhagan
2.M.Manoharan
3.R.Magalakshmi
4.D.Manimegalai
5.M.Manivannan
6.M.Mathivaanan
7.Premalatha
8.V.Rajkumar
9.V.Sasikumar
10.V.Ramesh Kumar



A.No. 3366 of 2025
and
T.O.S. No. 38 of 2011

11.P.Rubalatha

12.V.Srilekha

13.V.Jeevitha

... Respondents

Prayer : This application has been filed under Order XIV Rule 8 of the Original Side Rules read with Order VII Rule 14(3) of the Code of Civil Procedure, praying to permit the applicants to receive the additional documents as mentioned in the list hereunder in T.O.S. No. 38/2011.

For applicant : Mr.B.Senthil Kumar

For Respondents : Mr.P.Manickavel (DD1 to 4)

ORDER

Application No. 3366 of 2025 has been filed seeking permission to file further documents in the suit.

2. The documents have been listed out in the Judges Summons and a perusal shows that the documents are property tax demand old cards, water and sewerage tax old cards and electricity card all standing in the name of the Testatrix /Govindammal and the death certificate of S.Sathiyathan and the legal heirship certificate of S.Sathiyathan. The



A.No. 3366 of 2025
and
T.O.S. No. 38 of 2011

WEB COPY

suit had been filed seeking probate of a Will executed by Govindammal.

The witness for the plaintiffs had already grazed the witness box and tendered evidence in chief and also marked Exhibits-P1 to P7. The witness will now have to be cross-examined by the defendants.

3. At that stage, this application has been filed. The documents relating the property tax demand old cards, water and sewerage tax old cards and electricity card do not have any direct relevance to the proof of the Will. They might be relevant only if the defendants question the authority of the Testatrix to even execute the Will over the suit schedule property, but from the discussion advanced in the Court that does not seem to be the defense taken. However, the other two documents, viz., the death certificate of S.Sathiyathan dated 04.11.2010 and the legal heirship certificate of S.Sathiyathan dated 05.01.2011 are relevant since S.Sathiyathan is one of the attesting witnesses to the Will.

4. Therefore, this application is partly allowed permitting to mark the Death Certificate of S.Sathiyathan and the Legal Heirship



A.No. 3366 of 2025
and
T.O.S. No. 38 of 2011

WEB COPY

Certificate of S.Sathiyathan as further documents by the plaintiffs. The PW1 to graze the witness box once again for the limited purpose of marking of further aforementioned two documents.

5. Since the property tax demand old cards(2), water and sewerage tax old cards(2) and electricity card(1) are not permitted to be marked in this application by this order, and since the originals have been filed in the Court, on filing a memo, the Registry may return back the said originals back to the learned counsel and he may substitute the same with true attested copy for records of the Court. If at any time, the defendants question the authority of the Testatrix to execute the Will, then the applicants are at liberty to file a fresh application to introduce those documents.

Maya

12.08.2025
1/2



WEB COPY



A.No. 3366 of 2025
and
T.O.S. No. 38 of 2011

C.V.KARTHIKEYAN, J.

Maya

A.No. 3366 of 2025
in
T.O.S. No. 38 of 2011

Dated : 12.08.2025

1/2