



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-09-2025

WEB COPY

CORAM

THE HON'BLE DR.JUSTICE R.N.MANJULA

A No. 4606 of 2025 in

TOS.No.18 of 2010

1. L.Rajasekaran And 3 Others
All are residing at No.66, T.K.Mudali Street,
Choolai, Chennai 600 112,
2. L.Kumar
Chennai
3. L.Rajendran
Chennai
4. L.Raj
Chennai

..Applicant(s)

Vs

G.Devaraj Naidu
Block NO.301-A, Anbu Apartments, Indira Gandhi
Road, South Civil Line, Jabalpuram,
Madhyapradesh.

..Respondent(s)

PRAYER : To stay all further proceedings in T.O.S.No.18 of 2010, pending disposal of S.A.No.933 of 2019 on the file of this Honble court on the Appellate Side.

For Applicant(s): M/S.K.N.NATARAAJ

For Respondent(s): M/S.C.B.MURALIKRISHNAN
FOR RESPONDENT



ORDER

This Application has been filed to stay the proceedings of pending TOS.No.18 of 2010 till the disposal of S.A.No.933 of 2019.

2. The learned counsel for the applicants submitted that the Second Appeal has arisen out of the judgment and decree passed in the suit filed for claiming title on the claim of adverse possession.

3. So far as the Testamentary Original Suit filed by the respondent is concerned, it is only about proving of the genuineness of the Will executed by its executant. As a testamentary Court is not going to decide anything about the title, but only on the compatibility of the Will under Section 63 of the Indian Succession Act and about its genuineness, if proved under Section 68 of the Indian Evidence Act, I find no necessity to stay further proceedings in TOS.No.18 of 2010, till the disposal of S.A.No.933 of 2019.

4. Accordingly, this Application is dismissed.

24-09-2025

GSK



A No. 4606 of 2



To

G.Devaraj Naidu

Block NO.301-A, Anbu Apartments, Indira Gandhi
Road, South Civil Line, Jabalpuram,
Madhyapradesh.

WEB COPY



WEB COPY

A No. 4606 of 2



DR.R.N.MANJULA, J.

GSK

**A No. 4606 of 2025 in
TOS.No.18 of 2010**

24-09-2025