



WEB COPY

TOS No. 54 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-01-2026

CORAM

THE HONOURABLE DR.JUSTICE R.N.MANJULA

**TOS No. 54 of 2025
(O.P.No.261 of 2025)**

1. K.Arunkumar
Old No.6/2, New No.11, North Street,
Venkatesapuram Colony, Ayanavaram,
Chennai - 600 023

Appellant(s)

Vs

1. R.Suresh
S/o.Rathinasamy, No.1, Angalamman
Kovil Street, Kilakku Mada Lane,
Choolai, Chennai - 600 112.

Respondent(s)

PRAYER: Original Petition is filed under Section 222 and 276 of the Indian Succession Act, 1925, r/w. Order XXV, Rule 4 of O.S.Rules to prove the Will dated 04.08.2023 of the deceased R.Chellathai, grandmother of the Petitioner, in common form and that Probate thereof to have effect throughout the State of TamilNadu. (OP.261 of 2025 converted into TOS.54 of 2025)

For Appellant(s): M/s.Praveen S.Kumar

For Respondent(s): M/s.C.Sakthimanikandan
for Defendant



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ORDER

Initially an Original Petition in O.P.No.261/2025 was filed to prove the Will dated 04.08.2023 of the deceased R.Chellathai. Later vide order of this Court dated 28.08.2025 in O.P.No.261/2025, the original petition got converted into Testamentary Original Suit.

2. When the matter is taken up today, both side counsel submitted that the parties have entered in a Joint Compromise and a memo to that effect has also been filed.

3. This Court perused the Joint Compromise Memo dated 17.12.2025. Though the Joint Compromise Memo contains other terms, the Testamentary Court is concerned only to deal with the issues raised in the Testamentary Original Suit. The Joint Compromise Memo filed by the parties can only be construed to the extent that the defendant has given consent to grant Letters of Administration to the plaintiff as prayed.



4. Thus, by recording the Joint Compromise Memo dated 17.12.2025, on the limited aspect to which the present suit is filed, the Testamentary Original Suit is decreed. The Joint Compromise Memo dated 17.12.2025 shall form part in the decree.

05-01-2026

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No

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R.N.MANJULA J.

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