



WEB COPY



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-12-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

**SA NO. 429 OF 2019
& CMP No. 6516 of 2019**

Vidjayane Mohanabayammalle Saroja
(died)

1.Vidjayane Latchoumy , W/o.Sekar,
Plot No.3, I Cross , Natesan Nagar ,
Puducherry - 605005 Pudhucherry
AND 2 OTHERS

Appellant(s)

Vs

VIJAYALAKSHMI
W/o.Kalidoass, 17, Kanniar Street ,
Kosapalayam, PuducherryPudhucherry
AND 3 OTHERS

Respondent(s)

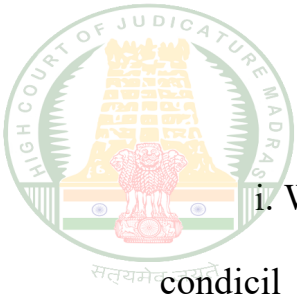
For Appellant(s): M/s.T.Sathiyamoorthy
A.Umapathy

For Respondent(s): M/s.V.B.Perumal Raj For
Caveater

ORDER

Heard the submissions of the learned counsel for the appellant and
perused material on records.

2. Considering the facts and circumstances of the case, this Second
appeal is admitted on the following substantial questions of law:



WEB COPY

i. Whether the judgement of courts below holding Ex.A2 Will and Ex.A3 condicil proved in the absence of examination of any attesting witness as required under Section 68 of the Evidence Act is not contrary to law and perverse one ?

ii. Whether courts below are right in presuming proof of valid execution of Ex.A2 Will and Ex.A3 codicil on the sold ground it was executed before the notaire, though apparently Ex.A2 Will and Ex.A3 codicil is not complying with stipulations for a Will dictated to a notaire in Article of French Code Civil ?

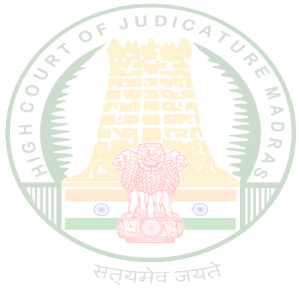
3. Registry is directed to call for records from the Courts below. Post the matter on 09.01.2026 for arguments.

pbl

05-12-2025

T.V.THAMILSELVI J.
pbl

**SA NO. 429 OF 2019
& CMP No. 6516 of 2019**



WEB COPY



05-12-2025