

TOS No.68 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-07-2025

CORAM

THE HONOURABLE MR JUSTICE C.V. KARTHIKEYAN

TOS No.68 of 2024 and

Tr.CS No.240 of 2024 and

A Nos.2667, 2668 & 2669 of 2025

T.O.S.No.68 of 2024

K.Sooriya Prakash
S/o.Late A.Kuppu Rao, No.47/21,
Narayanaswamy Street, Aranganathan Nagar,
Virugambakkam, Chennai - 600 092.

Plaintiff (s)

Vs

R.Sujatha Ramesh Pawar
W/o.Late K.Ramesh Kuppu Rao, No.44/15, Flat
1A, Balaji Garudhadri Apartments, 12th
Avenue, Ashok Nagar, Chennai - 600 083.

Defendant (s)

CS NO. 240 of 2024

R.Sujatha Ramesh Pawar
W/o.Late K.Ramesh Kuppu Rao,
No.44/15, Flat 1a.
Balaji Garudadhri Apartments,
12 Th Avenue, Ashok Nagar,
Chennai - 83.

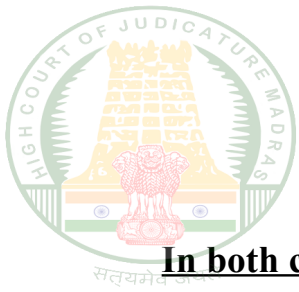
Plaintiff(s)

Vs

A.Kuppu Rao (Died) and 2 others
S/o Annaji Rao

Amended As Per Order In I.A No.5/2022 Dated
21.09.2022 Lrs 2 To 4 Already Party To Suit
and 3 Others

Defendant(s)



TOS No.68 of 2024

In both cases

For Appellant(s):

Mr.S.Makesh

For Respondent(s):

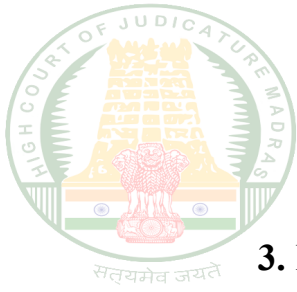
Mr.K.B.Gopi

COMMON ORDER

Joint trial had been directed in both the suits.

2. C.S.No.240 of 2024 had been transferred from the XVIII Assistant City Civil Court, Chennai wherein it was pending as O.S.No.534 of 2020. Issues had been framed in that suit. The plaintiff in T.O.S.No.68 of 2024 was directed to graze the witness box first and tender evidence as plaintiff witness. Originally, exparte evidence was taken in O.P.No.486 of 2023 and P.W.1 and P.W.2 had been examined. Thereafter as caveat had been entered in O.P.No.486 of 2023, it had been converted as T.O.S.No.68 of 2024.

2. When the matter came up on previous hearing date, the Court was under the impression that the witness had already grazed the witness box and the evidence can be continued. However, it is drawn to the notice of this Court that issues have not been framed in Testamentary Original Suit.



TOS No.68 of 2024

3. Heard the learned counsel for the plaintiff and the learned counsel for the defendants and perused the pleadings.

4. The following issues are framed in T.O.S.No.68 of 2024:

- i. Whether the Will dated 06.11.1998 said to have been executed by A.Kuppu Rao who died on 04.04.2022, is a genuine and true document?
- ii. Whether the contention of the defendants that the said Will had been created by the plaintiff has been established during the course of evidence?
- iii. Whether the Will had been proved in the manner known to law?
- iv. To what other reliefs the parties are entitled?'

5. P.W1 is already in the witness box. However, list the case before this Court on 06.08.2025.

30-07-2025

vum



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TOS No.68 of 2024

C.V. KARTHIKEYAN,J.,

vum

**TOS No.68 of 2024 and
Tr.CS No.240 of 2024 and
A Nos.2667, 2668 & 2669 of 2025**

31.07.2025