

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).3773/2007

(From the judgement and order dated 01/11/2006 in SA No. 614/1996 of The HIGH COURT OF A.P AT HYDERABAD)

SINGU MANIKAYAMMA & ANR.

Petitioner(s)

VERSUS

MANIKONDA SRIHARI RAO & ORS.

Respondent(s)

(With prayer for interim relief )

Date: 08/03/2007 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.P. SINGH

HON'BLE MR. JUSTICE H.S. BEDI

For Petitioner(s)

Mr. K.Radha Krishnan, Sr.Adv.

Mr. K.Subba Rao, Adv.

Mr. T.V. Ratnam,Adv.

For Respondent(s)

UPON hearing counsel the Court made the following

O R D E R

From the submissions made before us it appears that the last owner

namely, Balaiah had executed a will on 2.12.1979 but he also executed a

codicil on 5.8.1984. The said Balaiah died on 6.8.1984. The plaintiff

claims title through the son of Balaiah namely, Sambasiva Rao under sale

deed of 19th July, 1985. Sambasiva Rao did not contest the suit. The

question is whether the genuineness of the codicil had at all been challenged

in the proceeding because under the codicil, part of the property in question

was bequeathed in favour of another brother and the remaining to the son of

Sambasiva Rao, who was a minor at that time, apparently, because Balaiah

was not happy with the conduct of his son Sambasiva Rao.

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Counsel for the petitioner is not able to immediately answer the

question as to whether the genuineness of the codicil was ever challenged.

He submits that he wishes to place on record the pleadings and make his

submission.

Put up after two weeks.

(Sukhbir Paul Kaur)

(Vijay Dhawan)

Court Master

Court Master