

Tc. 26 to 26

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Register Number									
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DEPARTMENTAL EXAMINATIONS

TRANSLATION TEST - FIRST PAPER - TRANSLATION OF ENGLISH

PASSAGE BEARING ON COURT JUDGEMENT INTO TAMIL/Telegu/Hind

Urdu/Malayalam

(Without Books)

Maximum Time : 2.30 hours

Maximum Marks : 100

1. Translate the following into Language :

(4 × 25 = 100)

The respondent, MTC Ltd Chennai 2m M.C.O.P. No.: 701 of 2008 on the file of Motor Accidents claims Tribunal, (Fast Tract Court 1) is the appellant and challenging the quantum of compensation awarded had come forward with this civil miscellaneous Appeal. The claimant, at about 4.30 p.m. on 10.12.2007 was proceeding from north to south from R.M. Road to G.V. Road Junction, at that time, a bus belonging to the appellant transport corporation bearing Reg. No.: TN 01 – 7272, came behind and dashed against the claimant, as a consequence of which, the claimant fell down and the front wheel of the bus ran over the right leg of the claimant and he sustained grievous injuries. Immediately the claimant was operated upon for the removal of the feet and since the injury got infected, his leg below knee was amputated claimant filed claim petition before Tribunal. On account of amputation of his leg below knee, Tribunal arrived at annual loss of income and taking percentage of disability at 50%, applied multiplier of 8 and arrived at compensation. Having considered opinion of this court the Tribunal has appreciated the oral and documentary evidence the claimant is entitled to the entire compensation and finds no merit in this appeal.

Appeal Dismissed

[Turn over

2. Translate the following into Language :

Justice Pushpa Sathyanarayana

Rani

Appellant

Vs

Raja

Respondant

This case presents a very impleasant tale of an Ortho Doctor in Sivagangai and B.A. Graduate fighting a bitter matrimonial battle. The unsuccessful wife has come up with the instant civil miscellaneous appeal assailing the order of the principal family court chennai dated 14.6.2007 passed F.C.OP. No. 1015 of 2005 dismissing the petition filed by the Appellant/wife for dverce under sec 13(1)(a) of the Hindu Marriage Act on the ground of Cruelty, for Rs. 40 Lakhs towards permanent alimony under Sec. 25 of the Act and for permanent custody of her two minor sons under Sec. 26 of the Act. The instances of cruelty relied upon by the wife are vague and they are not sufficient to constitute cruelty for granting divorce to the petitioner. The Appellant has removed the Mangalsutra and she kept the same in Bank Locker. The Act which reflected mental agony and hunted the sentiments of the respondent. The appellat has not proved incidents of cruelty by her husband by adducing reliable evidence.

Having the considered the view that the appellant is not entitled to any amount as permanent alimony since the petition filed by the wife for divorce is not maintainable.

CMA dismissed

3. Translate the following into Language :

Madras High Court

P. Devadass .J

Ravi

Petitioner

Vs

Dhanapal

Respondant

This revision arises out of dismissal of a complaint filed by the revision petitioner. The learned counsel for the revision petitioner submitted that shifting of the evidence consisting of statement of the complainant and the witnesses and analysing it are a matter to be considered at the tail end of the trail. An enquiry under sections 200-202 Cr. P.C. is contemplated to satisfy the Magistrate that there is a ground to proceed further. Now in this, revision, petitioner and respondent are not strangers. As between them there is a money dispute. There is allegation in the private complaint that in the District Court campus, the respondent is alleged to have abused the complainant revision petitioner in filthy language and also threatened him. This has also been reiterated in the sworn statement of other two witnesses. The occurrence place in the District Court campus. It is a public place the occurrence time is court and office hours. Many lawyers, litigants, vendors, trouble makers, sureties and accused will frequent. By the act of the complaint, possibility of breach of public peace cannot be ruled out. In such circumstances, there is ground to proceed as against the respondent for an offence under Sec. 75(1)(c) of the Chennai City Police Act. Therefore the impugned order of dismissal of the trial court suffers from legality, it is required to be revised.

Revision Allowed

4. Translate the following into Language :

Madras High Court

N. Sathish Kumar. J

R. Kala

Plaintiffs

R. Rama

Vs

Sandhiya

Defendant

The petition originally filed for the grant of letters of administration has been converted as suit in view of the caveat filed by the Defendant.

The Plaintiffs are the daughters of Ramesh, Who is the brother of one Rani; who left a will bequeathing the suit property in favour of her brother Ramesh. The Suit property was purchased in the name of said Rani, who is the benami of her brother Ramesh. He has executed a settlement deed in favour of the plaintiffs. After that, he died. As the original will was not immediately available, the suit is filed for the grant of letters of administration. The said Ramesh was the Sub-Registrar. By using his official influence in the Department, he has got out the will. As the original beneficiary has not filed any application for the grant of letters of administration during his life time, the plaintiffs have no right to file an application for letters administration.

The conduct of getting the will registered during lunch hours, creates some doubt. Propounder of the will has to prove the execution as well as attestation of the will, are two different acts, one following the other as contemplated under Sec. 3 of the Transfer of property Act and Sec. 63 of Indian Succession Act. The testatrix was aged about 70 years. When a document is executed by an aged and infirm person, the sound and disposing state of mind of the said person, to execute such transaction has not been proved.

Having regard to the facts and available evidence adduced by the plaintiffs, the court is of the view that will has not been proved in a manner known to Law.

In the result, the Testamentary original suit is dismissed.