

Morison Vs. the Administrator-general of Madras

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Court : Chennai

Decided On : Jul-14-1884

Reported in : (1883)ILR7Mad515

Judge : Charles A. Turner, Kt., C.J. and ;Muttusami Ayyar, J.

Appellant : Morison

Respondent : The Administrator-general of Madras

Judgement :

Charles A. Turner, Kt., C.J. and Muttusami Ayyar, J.

1. The facts of this case are fully stated in the able judgment of our learned colleague. We agree with him that while the evidence shows that the will propounded by the respondent was procured, by the persuasion of Mrs. Corbett, the influence she exerted was not such as to deprive the testator of the exercise of his judgment and volition, and was not therefore undue influence as defined in the Indian Succession Act and in the cases Boyse v. Rossborough 6 H.L. 2 and Hall v. Hall L.R. I P. & D. 481. Inasmuch as no sufficient ground has been shown for the appeal, we must dismiss it and direct that the costs of this appeal be borne by the appellant.