

Mailathi Anni Vs. Subbaraya Mudaliar

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Court : Chennai

Decided On : Apr-25-1901

Reported in : (1901)ILR24Mad650

Judge : Shephard and ;Bhashyam Ayyangar, JJ.

Appellant : Mailathi Anni

Respondent : Subbaraya Mudaliar

Judgement :

1. The evidence of the expert witness must be accepted as putting it beyond doubt that, according to the French law prevailing in French territory, the testatrix, on the death of her husband, became by inheritance absolute owner of his property. But it is said that by her migration to British territory and acquisition of a British Indian domicile, the character of her estate was changed and that her rights were henceforth no other than that of a widow according to the Hindu law administered by our Court.

2. It is impossible, in our opinion, to hold that the change of domicile assuming that there was any change, which is disputed could have any such effect. It is not suggested that she adopted the system of law prevalent in this part of British India.

3. We dismiss this appeal with costs.

