



WEB COPY

A No. 1591 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-07-2026

CORAM

THE HON'BLE DR.JUSTICE A.D.MARIA CLETE

A Nos.1589, 1590 of 2026 1591 of 2026

IN

CS Nos.344 of 2020, TOS.No.21 of 2021 & C.S.No.178 OF 2023

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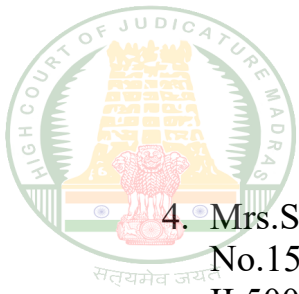
O.A.No.651 of 2020 & A.No3382 of 2021

D.Mallikarjuna Rao
S/o.D. Nayudamma, Flat No.5B, High Breeze
Apartments, 4th Cross, Ormes Road, Kilpauk,
Chennai - 600 010.

..Applicant(s)

Vs

1. D.Kamalesh and 4 others
Flat No.5B, High Breeze Apts. 4th Cross,
Ormes Road, Kilpauk, Chennai-10
2. Mrs.D.Padmavathi
No.28/30, Sriram Nagar, North St., B1, Royal
Castle Apts. 1st Floor, Alwarpet, Ch-18.
Rep.by their duly constituted POA Agent
P.Prashanth, No.28/30, Sriram Nagar, North St.,
B1, Royal Castle Apts. 1st Floor, Alwarpet,
Ch-18.
3. Mrs.P.Ananthalakshmi
No.28/30, Sriram Nagar, North St., B1, Royal
Castle Apts. 1st Floor, Alwarpet, Ch-18.
Rep.by their duly constituted POA Agent
P.Prashanth, No.28/30, Sriram Nagar, North St.,
B1, Royal Castle Apts. 1st Floor, Alwarpet,
Ch-18.



4. Mrs.Saroja Ravi
No.1513, Stonegate Manor, Mount Prospect
II.50056, United States of America.
Rep.by their duly constituted POA Agent
P.Prashanth, No.28/30, Sriram Nagar, North St.,
B1, Royal Castle Apts. 1st Floor, Alwarpet,
Ch-18.

5. Mrs.Mamatha Kavuri
No.14, Buttonwood Drive, East Brunswick,
New Jersey 08816, United States of America.
Rep.by their duly constituted POA Agent
P.Prashanth, No.28/30, Sriram Nagar, North St.,
B1, Royal Castle Apts. 1st Floor, Alwarpet,
Ch-18.

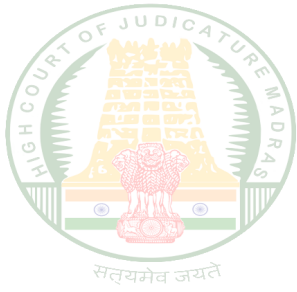
..Respondent(s)

A Nos. 1589, 1590 & 1591 of 2026

Prayer : Applications filed to appoint an Advocate Commissioner for the purpose of recording evidence of the Applicant/1st Defendant in CS Nos.344 of 2020, TOS.No.21 of 2021 & C.S.No.178 OF 2023 at his residence situated at Flat No.5B, High Breeze Apartments, 4th Cross Street, Ormes Road, Kilpauk, Chennai 600 010.

For Applicant(s): Ms.P. Subba Reddy

For Respondent(s): Mr.N.V.N.Margandeyan



ORDER

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These applications have been filed to appoint an Advocate Commissioner for the purpose of recording evidence of the Applicant in C.S.No.178 of 2023, C.S.No.344 of 2020 & TOS.No.21 of 2021 at his residence situated at Flat No.5B, High Breeze Apartments, 4th Cross Street, Ormes Road, Kilpauk, Chennai 600 010 and submit the same before this Court.

2. Learned counsel appearing for the applicant submits that the applicant is diagnosed with major health related life threatening issue and had undergone major surgery and is in complete bed rest and therefore, he could not come to Court to let in evidence.

3. Considering the submission made by the learned counsel appearing for the applicant and taking note of the fact that it is not denied or disputed, this Court is inclined to appoint an Advocate Commissioner. Accordingly, these applications are allowed and Mr.M.S.Swathish Kumar, Advocate, No.47, Oriental Building, III Floor, Armenian Street, Chennai – 600 001 Mobile No.9600449995 is appointed as an Advocate Commissioner to record the evidence applicant Mr.D.Mallikarjuna Rao at his residence. The applicant shall make all necessary arrangements for secretarial assistance and transportation for



the Advocate Commissioner. The Registry is directed to do the needful so as to enable the Advocate Commissioner to record the evidence and mark the documents. The initial remuneration of the Advocate Commissioner is fixed at Rs. 50,000/-. The applicant shall pay the Advocate Commissioner's fee directly to the Advocate Commissioner. The Advocate Commissioner is further directed to record the evidence on 15.07.2026, without causing any unnecessary delay, having regard to the fact that the witness is a sick person, and to file the recorded evidence along with a report of proceedings forthwith before this Court on 03.08.2026.

02-07-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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DR.A.D.MARIA CLETE, J.

VRC

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IN
CS Nos.344 of 2020, TOS.No.21 of 2021
& C.S.No.178 OF 2023**

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