



A.No.2504 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-07-2026

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

A No. 2504 of 2026

in

T.O.S. No. 20 of 2014

V.Chandru

New No.64, Old No.43, Pushpa Nagar Main Road,
Nungambakkam, Chennai - 34

..Applicant(s)

Vs

Vasanthi (Deceased)

1. Vijayarani

W/o.Devaraj (late)

No.209/B, Railway Colony,

Keelperumbakkam,

Villupuram District.

2. Senthil Kumar

Residing At No.400/a, Vannarapettai Ii Street,

Andampallam Post And Village,

Thiruvannamalai District

3. Rajakumari

Residing At No.400/a, Vannarapettai Ii Street,

Andampallam Post And Village,

Thiruvannamalai District

4. Navin Kumar (Minor)

Both minors represented by their mother and
natural guardian Mrs.Thilagavathy,

Both residing at No.400/A, Vannarapettai II
street, Andampallam Post and Village,

Thiruvannamalai District.



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5. Durga (Minor)

Both minors represented by their mother and natural guardian Mrs.Thilagavathy,
Both residing at No.400/A, Vannarapettai II street, Andampallam Post and Village, Thiruvannamalai District.

6. Mrs.Thilagavathy

W/o.Late Mohan Kumar,
No.400/A, Vannarrapettai II Street,
Andampallam Post and Village,
Thiruvannamalai District.

7. Vijayan

S/o.Ramasamy,

8. Vanitha

W/o.Kannan,

9. Valarmathi

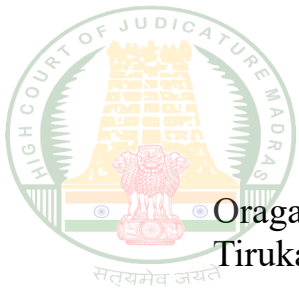
D/o.Vijayan,
9 to 11 are residing at No.11/1, Old No.70/C,
Soonambedu Road,
Old Mambakkam,
Maduranthagam - 603 306.

10.V.Lakshmi

W/o.Late Vinoth,
12 to 14 are residing at
No.49, Mettu Street,
Oragadam,
Tirukalikundram - 603 109.

11.V.Ganesh

S/o.Late Vinoth,
12 to 14 are residing at
No.49, Mettu Street,



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Oragadam,
Tirukalikundram - 603 109.

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12.V.Akshaya
D/o.Late Vinoth,
12 to 14 are residing at
No.49, Mettu Street,
Oragadam,
Tirukalikundram - 603 109.

..Respondent(s)

PRAYER: To permit to appoint an Advocate Commissioner for recording the evidence of the attesting witness Mr.M.Vimalchand Bandari, Arihant Vaikunt Apartments, 4th Block, Second Floor, Flat 2D, 123/124, Bricklin Road, Vepery, Chennai 600 007.

For Applicant(s): M/S.S. Vasanthi
R.Thirupurasundari

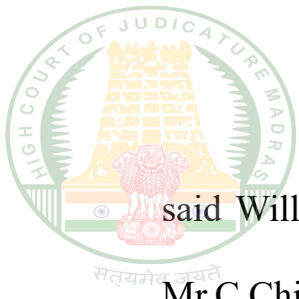
For Respondent(s): Ms.K.Kavitha for R8 to R14.

ORDER

This application has been filed to permit to appoint an Advocate Commissioner for recording the evidence of the attesting witness Mr.M.Vimalchand Bandari, Arihant Vaikunt Apartments, 4th Block, Second Floor, Flat 2D, 123/124, Bricklin Road, Vepery, Chennai 600 007.

2. It is submitted that the suit has been filed for letters of administration with Will dated 03.03.1993 executed by the late grandfather of the petitioner and in the

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said Will was attested by two witnesses, namely, Mr.M.Vimalchand Bandari and Mr.C.Chinnakkannu and one of the attesting witness is now aged and is residing at Arihant Vaikunt Apartments, 4th Block, Second Floor, Flat 2D, 123/124, Bricklin Road, Vepery, Chennai 600 007. Since the said witness is suffering from age related ailments, this application has been filed seeking appointment of Advocate commissioner for the examination of the attesting witness.

3. Learned counsel for the respondents submits that he has got no objection in allowing this application and has made an endorsement to that effect.

4. Considering the reasons stated in the affidavit filed in support of this application and the age of the attesting witness, this application deserves to be allowed. Accordingly, Ms.Pushpavalli, learned counsel is appointed as Advocate Commissioner to visit the premises of the attesting witness, Mr.M.Vimalchand Bandari, at Arihant Vaikunt Apartments, 4th Block, Second Floor, Flat 2D, 123/124, Bricklin Road, Vepery, Chennai 600 007 and record the evidence in accordance with law. 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



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to record the evidence and mark the documents. The remuneration of the Advocate

Commissioner is fixed at Rs. 30,000/-. The petitioner shall pay the Advocate

Commissioner's fee directly to the Advocate Commissioner. The Advocate

Commissioner is further directed to record the evidence, without causing any

unnecessary delay, having regard to the fact that the witness is an aged and sick

person, and to file the recorded evidence along with a report of proceedings

forthwith before this Court on 13.08.2026.

5. Accordingly, this application is allowed. No costs.

21-07-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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DR.A.D.MARIA CLETE, J.

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