



A.No.2303 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 22-06-2026**

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CORAM

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

**A No. 2303 of 2026**

**in**

**O.P. No. 428 of 2025**

A.P. Premraji  
W/o Mr. Phalgunan.C.T,  
Old No 148, New No 31,  
Gill Nagar, Extension 2,  
Choolaimedu, Chennai,  
Tamil Nadu - 600094.

..Applicant(s)

Vs

1. A. Balan  
S/o Late A.P.Krishnan,  
14 Metha Nagar Main Road,  
Metha Nagar, Aminjikarai,  
Chennai,  
Tamil Nadu - 600029.
2. Dr. A.P.SREEDHARAN  
S/o Late A.P.Krishnan,  
Sreevas, PO Chokli  
Peringathoor, Kannur, Kerala - 670672.
3. A.P. Vijayan  
S/o Late A.P.Krishnan,  
No 411, Kalpakam,  
10th Cross, 5th Main  
HIG Colony, Near Scientific Nursery  
R.M.V. 2nd Stage, Bangalore  
Karnataka - 560094.

4. Haritha Phalgun

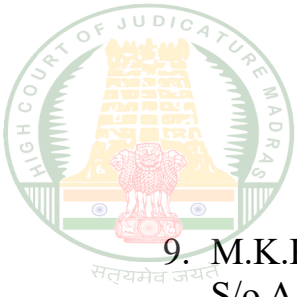
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D/o Mr. Phalgunan C.T,  
Old No 148, New No 31,  
Gill Nagar, Extension 2,  
Choolaimedu, Chennai,  
Tamil Nadu - 600094.

5. Dr. DEEPA JAGADEESH  
W/o Mr. Jagadeesh C.Sudarshana,  
Residing in USA,  
7330 Hillside Ln,  
Solon OH 44139.  
Represented by her Power of Attorney Agent  
Mrs.A.P.Premraji,  
Indian Address  
Old No 148, New No 31,  
Gill Nagar, Extension 2,  
Choolaimedu, Chennai,  
Tamil Nadu - 600094.
6. Varun Sreedharan  
S/o Dr. A.P.Sreedharan,  
Sreevas, PO Chokli,  
Peringathoor, Kannur,  
Kerala - 670672.
7. M.Usha  
W/o Balakrishnan,  
12, Eighteenth Cross Street,  
Avvai Nagar, Lawspet,  
Pondicherry - 605008.
8. M.K.Sujatha  
D/o.A.M.Krishnan  
'Yedu Nivas'  
PO Chokli,  
Peringathoor, Kannur  
Kerala – 670 672.



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9. M.K.Pavithran  
S/o A.M.Krishnan,  
323/Madavil House,  
East Palloor, P O Chokli,  
Mahe, Puducherry - 673310.

10.A.Jayaprakasan  
S/o A.M.Krishnan,  
No 8, Pensioners 1st Lane,  
Old Washermenpet,  
Washermenpet,  
Chennai - 600021.

11.A.P.Sudhavalli  
W/o Mr. Pavithran,  
Valiaparambath House,  
PO Chokli,  
Peringathoor, Kannur,  
Kerala - 670672.

12.Dr.A.P.Pushpavalli @ Dr. PUSHPA DINARAJ  
W/o.Mr.O.K.Dinaraj,  
12/284, 'Krishna Thulasi'  
Koyyottu theru, Naluthara,  
Mahe, Pondicherry – 673310.

13.Sheela Rani O  
W/o Late M.K.Jayarajan,  
Akkul Poil House, Chokli Post,  
Peringathoor, Pullookkara,  
Kannur, Kerala - 670672.

14.Dr. DEEPTHA RAJAN  
D/o Late M.K.Jayarajan,  
Akkul Poil House, Chokli Post,  
Peringathoor, Pullookkara,  
Kannur, Kerala - 670672.



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15.Muktha Rajan  
D/o Late M.K.Jayarajan,  
Residing in London  
19 Bosworth House,  
South Street,  
Ashby-de-la-zouch,  
Leicestershire,  
LE65 1BF.

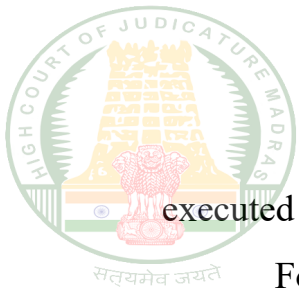
Represented by her Power of Attorney Agent  
Mrs. Sheela Rani O,  
Indian Address  
Akkul Poil House, Chokli Post,  
Peringathoor, Kannur,  
Kerala - 670672.

16.Beena T.K,  
W/o Mr. Karunan U.P,  
Old No 105A, New No.27  
Gill Nagar, 3rd Street,  
Choolaimedu, Chennai - 600094.

17.Kumar,  
(driver of the deceased)  
S/o Thanu Pillai,  
54 Sakthi Nagar, Teachers Colony,  
Kolathur, Tiruvallur,  
Tamil Nadu - 600099.

..Respondent(s)

To appoint an Advocate Commissioner to record the evidence of  
Mr.K.K.Ramachandran, S/o.S.Narasimhachari, residing at Old No.1/B, New  
No.03, Sakthi Nagar, 5th Street, Choolaimedu, Chennai 600 094 who is the first  
attesting witness to the Will dated 09/07/2023 and the Codicil dated 24/06/2023



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executed by the Applicant's brother Mr.A.P.Kunhikannan.

For Applicant(s): M/S.S. Thank Sivan  
T.Uma Sivan  
R.Ramachandran  
S.Naveen Kumar  
V.Radhini

For Respondent(s): Mr.J.Seneta Christy for R1 to R6, R13 to R17.

### **ORDER**

This application has been filed to appoint an Advocate Commissioner to record the evidence of Mr.K.K.Ramachandran, S/o.S.Narasimhachari, residing at Old No.1/B, New No.03, Sakthi Nagar, 5th Street, Choolaimedu, Chennai 600 094 who is the first attesting witness to the Will dated 09/07/2023 and the Codicil dated 24/06/2023 executed by the Applicant's brother Mr.A.P.Kunhikannan.

2. The learned counsel appearing for the applicant submitted that the attesting witness sought to be examined is aged about 89 years and his health condition is deteriorated due to his advanced age and though he is in a sound state of mind, his movement is restricted and has also produced a medical certificate to that effect and thus seeks to appoint an Advocate Commissioner for recording his evidence at his residence.



3. The learned counsel appearing for the respondents submits that he has got no objection in allowing this application.

4. This Court has considered the submissions made on either side and perused the materials placed on record.

5. 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, Mr.Rm.V.Palaniyappan, No.101, 5<sup>th</sup> Street, Padmanabhan Nagar, Adyar, Chennai – 600 020, Contact No.9940010126 is appointed as Advocate Commissioner for the limited purpose of recording evidence of Mr.K.K.Ramachandran, S/o.S.Narasimhachari, at Old No.1/B, New No.03, Sakthi Nagar, 5th Street, Choolaimedu, Chennai 600 094 . The applicant shall make all necessary arrangements for secretarial assistance and transportation for the Advocate Commissioner. Registry is directed to do the needful so as to enable the Advocate Commissioner to record the evidence and mark the documents. The 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



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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.

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

**22-06-2026**

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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**DR.A.D.MARIA CLETE, J.**

**AY**

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