



WEB COPY



A.No.3630 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-08-2026

CORAM

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

A No. 3630 of 2026

in

O.P. No. 507 of 2025

1. M.Subhiksha and another
D/o.Murali Kumar,
No.60/2, Anna Colony,
1st Cross Street,
Besant Nagar,
Chennai 600 090.
2. C.Deepthi @ Deepika
D/o. T.V. Chandrashekar,
No.133, 3D Cross, Near Kasturi Nagar Club,
Kasthuri Nagar, Bangalore North,
Bangalore, Karnataka 560 043.

..Applicant(s)

Vs

1. V.S.Murali kumar and another
S/o. Sivaprakasam,
No.60/2, Anna Colony,
1st Cross Street,
Besant Nagar,
Chennai 600 090.
2. Jamuna Murali Kumar
W/o.Murali Kumar,
No.60/2, Anna Colony,
1st Cross Street, Besant Nagar,
Chennai 600 090.

..Respondent(s)



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PRAYER: To appoint an Advocate Commissioner to visit attesting witness Mr.Kothandaraman's residence at No.29, 2nd Street, Nethaji Nagar, Jafferkhanpet, Chennai 600 083 and record his evidence regarding his signature as witness.

For Applicant(s): M/S.T. Jayaramaraj
E.Paulraj
V.Jayakrishnakumar
N.Madhumathi
S.Ranjitha
D.Sankar

For Respondent(s): I.Jeyasundar Victor for R1 & R2.

ORDER

This application has been filed to appoint an Advocate Commissioner to visit attesting witness Mr.Kothandaraman's residence at No.29, 2nd Street, Nethaji Nagar, Jafferkhanpet, Chennai 600 083 and record his evidence regarding his signature as witness.

2.Heard the learned counsel for the petitioner and the learned counsel for the respondents who submits that he has got no objection in allowing this application and has made an endorsement to that effect.

3.It is submitted that the above petition has been filed seeking letters of administration with the Will of our Grandmother Late Saraswathi Neelakandan which was executed on 21.11.2000 in the presence of two attesting witnesses

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namely M.J.Kothandaraman and G.Sampath. It is further submitted that the first attesting witness M.J.Kothandaraman is aged 88 years and though he is in his full consciousness, he is unable to come to let in evidence since he suffers immobility due to his advanced age and hence, seeks to allow this application as prayed for.

4.Considering the age of the witness and his immobility due to his advanced age, this application deserves to be allowed. Accordingly, Ms.S.G.Alli Chandrakumar, No.149/4, Krishna Colony, 6th Avenue, Anna Nagar East, Chennai – 102, contact no.9444018817 is appointed as Advocate Commissioner to visit the premises of the attesting witness Mr.Kothandaraman's residence at No.29, 2nd Street, Nethaji Nagar, Jafferkhanpet, Chennai 600 083 , and record the evidence in accordance with law. The petitioners 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.30,000/- excluding the transportation charges. The petitioners shall pay the Advocate Commissioner's fee directly to the Advocate Commissioner. The Advocate Commissioner is further directed to record the evidence of the attesting witness Mr.Kothandaraman, without causing any



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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 18.09.2026.

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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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