

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-07-2026

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

A No. 2261 of 2026

in

TOS No.2 of 2018

T.Rajendran
New No.10, Old No.9,
Ranganathan Street,
Karappakkam,
Chennai-600097.

..Applicant

Vs

Mrs.Komala
No.6-A, Orandiamman Avenue,
Velacherry,
Chennai 600 042.

..Respondent

PRAYER: This application is filed under Order XIV Rule 8 of OS Rules read with Order XVI Rule 1 of O.S.Rules, praying to pass an order by permitting the Applicant to issue subpoena to the Sub Registrar of Joint II the Sub Registrar Office, Saidapet, Chennai 600 015, to appear before this Court and produce the original records relating to the registration of the Will dated 31/07/1996 registered as Document No.17 of 1966 in the above T.O.S.No.2 of 2018.

For Applicant:

Mr.J.Arul Prakasam

For Respondent:

Mr.V.R.Appaswamee



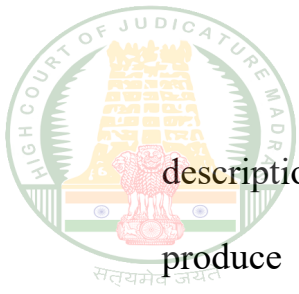
ORDER

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This application has been filed seeking permission to issue a subpoena to the Sub Registrar, Joint-II, Saidapet, Chennai, to appear before this Court and produce the original records relating to the registration of the Will dated 31.07.1996, which is stated to have been registered as Document No.17 of 1996, in connection with T.O.S.No.2 of 2018.

2. Heard the learned counsel for the applicant. Although sufficient opportunity was afforded to the respondent to file a counter, none has been filed.

3. The present suit is a Testamentary Original Suit in which the due execution, attestation and proof of the Will are directly in issue. The applicant seeks the production of the original records maintained in the office of the Sub Registrar relating to the registration of the said Will. Such records, being official records maintained by a public authority in the discharge of statutory functions, may assist the Court in effectively adjudicating the issues arising in the suit. However, the application does not specifically identify the records to be summoned from the office of the Sub Registrar. Under Rule 147 of the Registration Rules, whenever records are required to be summoned from the Registration Department, the requisition shall clearly specify the nature and



description of the records to enable the Registering Officer to identify and produce the relevant documents without inconvenience to the public office.

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4. In the above circumstances, this Court is of the view that the applicant has made out a case for the issuance of a subpoena. Nevertheless, before the subpoena is issued, the applicant shall file, within one week, a memo specifying, with precision, the records required from the office of the Sub Registrar, such as the relevant register, book, index, presentation endorsement, admission and execution endorsements, thumb impression register, photograph register, receipt, or any other record maintained in connection with the registration of the Will dated 31.07.1996, registered as Document No.17 of 1996, as may be advised. On the filing of such a memo, the Registry shall issue a subpoena to the Sub Registrar, Joint-II, Saidapet, Chennai – 600 015, requiring the production of the specified records on a date to be fixed by the Registry.

5. The application is accordingly allowed. No costs are awarded.

02-07-2026

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

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A No. 2261 of 2



DR.A.D.MARIA CLETE, J.

MFA

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02-07-2026