

A.No.992 of 2021
in T.O.S.No.7 of 2020

R.PONGIAPPAN, J.,

Heard.

2. The applicants herein are the plaintiffs in T.O.S.No.7 of 2020. They filed this application seeking the relief to examine one Lokanadam, S/o.Late B.Narasimmalu, who is the attesting witness in the Will dated 13.05.1986, as a witness in T.O.S.No.7 of 2020.

3. Though the learned counsel for the respondent / defendant asked adjournment for filing counter affidavit, considering the fact that this application has been filed only for the purpose of getting permission for examining the attesor, the objection raised by the learned counsel for the respondent cannot be sustained. In otherwise, the learned counsel appearing for the respondent, is always having opportunity to raise his objection before the learned Master when at the time the said witness was examined as the plaintiffs' side evidence.

R.PONGIAPPAN, J.

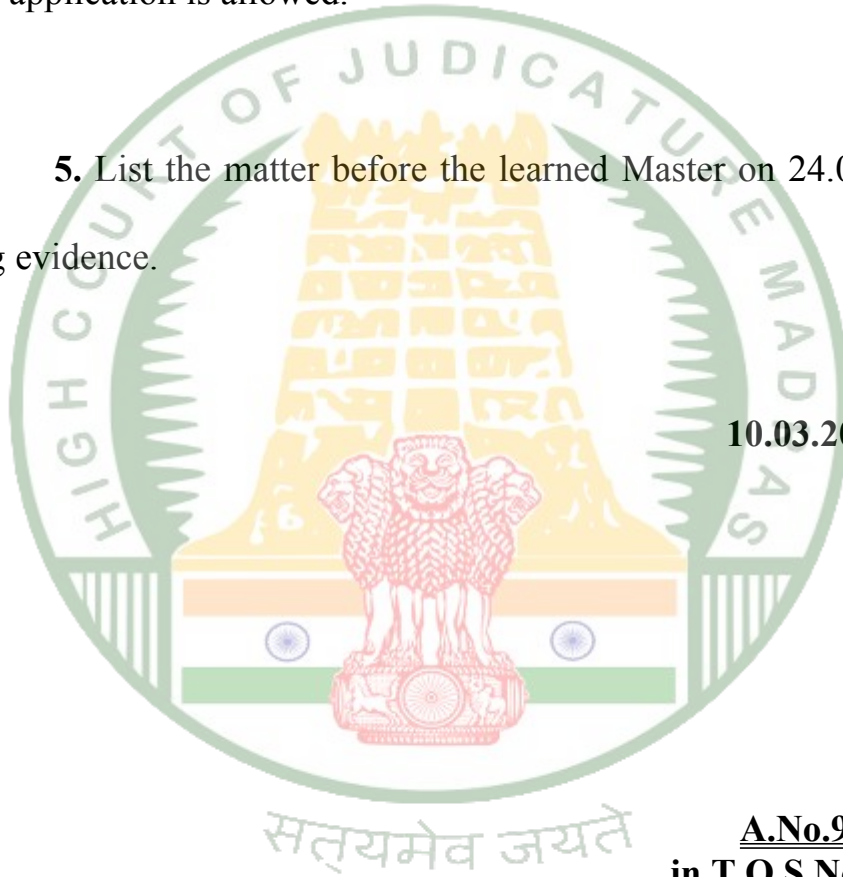
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4. Therefore, considering the facts and circumstances of the case, this application is allowed.

5. List the matter before the learned Master on 24.03.2021 for recording evidence.

10.03.2021

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