

**Application No.3455 of 2021 in
O.P.No.105 of 2021**

V.PARTHIBAN.,J.

This application is filed seeking permission to appoint an Advocate Commission to record the evidence of the applicant herein at her residence at No.F-52/2A, Rambal Apartments, 4th street, F Block, Anna Nagar East, Chennai - 600 102, based on her Proof Affidavit that has been filed along with this application and direct the Registry to hand over to the Advocate Commissioner all the documents that have been filed along with this Original Petition so as to enable the same to be marked as Exhibits while the evidence is recorded.

2. It is stated that the aforesaid Original Petition has been filed for grant of Succession Certificate. The said O.P. is at the stage of recording evidence. The applicant is residing at No.F-52/2A, Rambal Apartments, 4th street, F Block, Anna Nagar East, Chennai - 600 102, and he is the only surviving witness. It is further stated that due to the outbreak of Covid-19 pandemic situation posing serious health and safety concerns and due to the advanced age and frail health of the applicant, the doctors have advised him to remain indoors. Further, he being the only surviving witness, this application has been filed seeking to

appoint an Advocate Commissioner to record her evidence based on the Proof Affidavit that he has filed along with this application.

3. Considering the Covid-19 pandemic situation and the advanced age of the applicant and also considering the fact that this application is not opposed by the respondents' counsel, this Application is allowed.

4. Mr.N.Balamurali Krishnan, Advocate, residing at Plot No.278, Pillayar Koil Street, Golden Geroage Nagar, Nerkundram, Chennai - 600 107, (Cell No. 9841946780) is appointed as Advocate Commissioner to examine the applicant at his residence at No.F-52/2A, Rambal Apartmnets, 4th street, F Block, Anna Nagar East, Chennai - 600 102, and file a report before this Court along with the evidence so recorded on or before the next date of hearing.

5. The Advocate Commissioner shall be paid by the applicants, a sum of Rs.30,000/- (Rupees Thirty Thousand Only) as initial remuneration forthwith, when he informs the applicant of his commission and fixes a convenient date and time for the examination.

6. The Advocate Commissioner is directed to take custody of all the original documents filed along with the Original Petition from the Registry for marking of the documents at the time of the examination.

7. Registry is directed to hand over all the original documents filed along with the Original Petition to the Advocate Commissioner to enable him to mark the same while recording evidence.

9. Post the matter on 08.10.2021 for filing of the report of the Advocate Commissioner.

30.09.2021

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Note:

- i) Registry is directed to upload and issue order copy on 30.09.2021.
- ii) Registry is also directed to issue warrant to the Advocate Commissioner on 30.09.2021

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