



WEB COPY



A.No.2667 of 2022
in
OP No.561 of 2019

KRISHNAN RAMASAMY, J.,

This application has been filed to allow the third party to give evidence as witness in the O.P, who was present and saw personally at the time of execution of the Will and signed by the Testator of the Will as well as signing of both the attesting witnesses in the Will.

2.The learned counsel for the applicant/petitioner has submitted that the first attesting witness namely A.Sankar had passed away long back and the second attesting witness namely C.Mohan shifted his residence from Chennai to Cromeppet and hence, he was unable to trace out his residence at Cromeppet even after his best efforts. Therefore, the present application has been filed to examine the third party witness Mr.D.Bhuvaneswaran, who was also present at the time of execution of the Will and who is well acquainted with the signature of the Testatrix as well as the attesting witnesses.



KRISHNAN RAMASAMY, J.,

dn

3.Heard, Mr.S.N.Narasimhulu, learned counsel for the applicant/petitioner.

4.Being satisfied with the reasons assigned in the affidavit filed in support of this application and after hearing the learned counsel for the applicant/petitioner, this application is allowed.

5.Registry is directed to list the matter before the learned Master on 10.08.2022, to examine the third party witness.

21.07.2022

dn

A.No.2667 of 2022
in
OP No.561 of 2019