



A.No.2911 of 2022 in O.P.No.535 of 2007

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KRISHNAN RAMASAMY.J.,

This application has been filed seeking to appoint an Advocate Commissioner to record the evidence of the attesting witness in the Will at his residence.

2. It is stated that the applicant/petitioner filed an original petition seeking to grant Letters of Administration and the said O.P. is at the stage of recording evidence. It is further stated that there are two attesting witnesses, out of which, one attesting witness died and another attesting witness namely Mr.Padmanabhan, aged about 87 years, has recently undergone major ortho surgery at Christian Medical College, Vellore and the doctors have advised him not to walk and travel. With regard to the same, the applicant has also filed the discharge summary and bills.

3. Considering the advanced age of the attesting witness i.e. 87 years and also considering the fact that no opposition to this application, this Court feels it to appoint an Advocate Commissioner. Hence, this Application is allowed.



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4. Accordingly, Mrs.R.Gandhimadhi, Advocate, Enrollment No.1197/1994 (having office at Madras High Court Advocate Association, High Court Building, Chennai), Mobile No.9952081601, is hereby appointed as Advocate Commissioner, to examine and record the evidence of the attesting witness namely Mr.Padmanabham, at his residence at No.148, 15/13, Subam Suzan Enclave S2, Lakshmi Nagar 5th Cross Street, Porur, Chennai – 600 116 and file a report before this Court along with the evidence so recorded on or before 16.08.2022.

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

6. Post the matter for filing report of the Advocate Commissioner on 16.08.2022. The Registry is directed to provide all the records to the Advocate Commissioner so as to enable her to complete the examination of the witness.

22.07.2022

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(Note: Issue Order Copy on 25.07.2022)

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