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A.No.4416 of 2022

**A.No.4416 of 2022**  
**in T.O.S.No.2 of 2013 in**  
**C.S.Nos.740 of 2011, 503 and 504 of 2017**

**G. CHANDRASEKHARAN, J.**

This application has been filed for appointing an Advocate Commissioner to record the evidence of the first applicant/first plaintiff at his residence.

2. When this matter is taken up, the learned Counsel for the respondents suggested a name of Mr.T.Mohan, learned Advocate to be appointed as Advocate Commissioner for recording the evidence of the first applicant/first plaintiff.

3. Considering the reasons stated in the affidavit that the first applicant is not able attend the Court to give evidence due to his illness and CPC has provided that such examination can be conducted through Advocate Commissioner, this Court is inclined to allow this application and appoint Mr.T.Mohan, learned Advocate as the Advocate Commissioner for recording evidence of the first applicant/first plaintiff.



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4. The Advocate Commissioner is directed to fix a date for examining first applicant after ensuring the convenience of learned Counsel for both parties and applicants and then examine him at his residence for recording evidence and receive documents. He is further directed to produce the evidence along with his report to this Court. The remuneration of the Advocate Commissioner appointed herein, is fixed at Rs.50,000/- (Rupees Fifty Thousand only) and the same shall be paid directly to the Advocate Commissioner by the applicant.

5. Registry is directed to handover the pleadings and documents filed along with the pleadings to the learned Advocate Commissioner for the purpose of examining this witness and the same has to be resubmitted to the Court after the completion of the examination.

5. Post the matter after four weeks.

**30.09.2022**

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