



A.No.4149 of 2023 in

C.S.No.720 of 2019

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R.N.MANJULA,J.

This application has been filed to appoint an Advocate Commissioner to record the evidence of the plaintiff as P.W.1 at her residence.

2. The applicant / plaintiff has filed the suit for declaration that the plaintiff is the absolute owner of the suit property described in Schedule - A and to direct the defendants to deliver the vacant possession of the plaintiff B-Schedule property; to pass a preliminary decree granting 1/2 share to the plaintiff in the plaintiff C Schedule property and thereafter pass a final decree by appointing an Advocate Commissioner to divide the plaintiff C schedule property into two equal shares by metes and bounds; to direct the defendants to render true and proper accounts for the income being rents received from the plaintiff B schedule property and for permanent injunction restraining the defendants, their men, servants, agents, anyone claiming under them and acting on their behalf from in any way alienating, encumbering or dealing with the plaintiff B and 1/2 share in C schedule properties in any manner whatsoever.



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3. The learned counsel for the plaintiff submitted that the plaintiff has filed an application in A.No.534 of 2023, for reopening the evidence on the side of the plaintiff in the above suit and the same is allowed on 29.03.2023. Pursuant to the same, the plaintiff has to be examined as P.W.1. Since the plaintiff is 86 years old and not in a position to come in person to depose evidence, she has filed this application seeking appointment of Advocate Commissioner to record her evidence at her residence.

4. The learned counsel for the respondents / defendants has no objection for allowing this application.

5. Accordingly, this application is allowed and **Mr.K.Senthil Kumar, Advocate, Enrollment No.3007/2007, No.386, New Additional Law Chambers, High Court Buildings, Chennai - 600 104, Mobile No.9842645014 E-mail ID - kksattorney@gmail.com,** is appointed as an Advocate Commissioner to record evidence of the plaintiff as P.W.1 at her residence and file a report before this Court. The remuneration of the Advocate Commissioner is fixed as **Rs.25,000/-** and



the same shall be paid by the plaintiff to the Advocate Commissioner directly.

gsk

21.08.2023

NOTE : Registry is directed to issue warrant to the Advocate Commissioner.



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