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A.No.5523 of 2024
in
C.S.No.320 of 2020

Dr.G.JAYACHANDRAN, J.

This application is filed to appoint an Advocate Commissioner to record the evidence of the plaintiff in C.S.No.320 of 2020 invoking Order XXVI, Rule 1 and 4 and Section 151 of C.P.C.

2. The present application is filed on the premises that the plaintiff who was convulsing due to her post natal health condition is not able to travel from Kerala to Chennai and therefore, her evidence to be recorded through an Advocate Commissioner.

3.The said application is strongly opposed by the respondent/defendant on citing various reasons.

4.This Court finds that the plaintiff/applicant has delivered a baby on 11.06.2024 almost five months lapsed thereafter. Hence, the application to



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appoint an Advocate Commissioner to record her evidence is not entertained. However, taking into consideration the other facts and the plaintiff being a feeding mother, recording of evidence is ordered to be done in-camera. The Presiding Officer shall provide necessary accommodation to the witness, whichever is required taking into consideration her health condition.

5. With this above observation, this application is disposed of.

28.11.2024

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