



A. 6335 c



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-12-2024

CORAM

THE HONOURABLE DR JUSTICE G. JAYACHANDRAN

WEB COPY

A. 6335 of 2024

IN

CS. 221 OF 2023

INDIAN BANK

HAVING ITS CORPORATE OFFICE AT PB NO.5555, 254-260,
AVVAI SHANMUGAM SALAI, ROYAPETTAH, CHENNAI 14.
ZONAL OFFICE AT KREST BUILDING, 2ND FLOOR, NO.2,
JEHANGIR STREET, CHENNAI 01. AND BRANCH OFFICE AT 23,
ARUNCHALAM ROAD, SALIGRAMAM, CHENNAI - 83.
REPRESENTED BY ITS BRANCH MANAGER.

APPLICANT(S)

Vs

SUN TV NETWORK LTD.,
HAVING REGISTERED OFFICE AT MURASOLI TOWERS, NO.73,
MRC NAGAR MAIN ROAD, MRC NAGAR, CHENNAI 600 028.,
REP.BY ITS AUTHORISED SIGNATORY.

RESPONDENT(S)

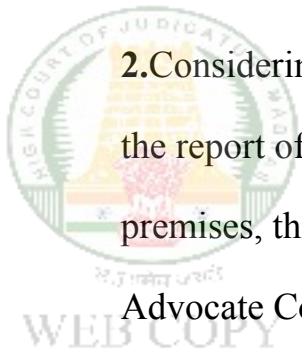
For Applicant(s):

M/S. HEMALATHA SURESH
S.VELMURUGAN

For Respondent(s):

ORDER

The application is filed by the defendant seeking leave of the Court to summon the Advocate Commissioner, who has filed a report pursuant to the Court's direction and the Engineer who assisted the Advocate Commissioner and submitted his individual report to the Advocate Commissioner.



2.Considering the fact that the suit is filed for damages and the relief sought is based on the report of the Advocate Commissioner and the Engineer, who inspected the premises, the defendant against whom the suit is laid has the right to cross examine the Advocate Commissioner as well as the Engineer. Since the defendant has already filed his objection, he has the right to testify the authors of the reports in the line with his objections.

3.Hence this application is allowed. However, the applicant is directed to pay costs of Rs.10,000/- to the respondent on or before 31.12.2024, as this application has been filed belatedly and not in time. On such payment of costs, necessary summons will be issued to the Advocate Commissioner and the Engineer for their appearance on 21.01.2025 before the Additional Master IV.

13-12-2024

rpl

To
1. SUN TV NETWORK LTD.,
HAVING REGISTERED OFFICE AT MURASOLI TOWERS, NO.73,
MRC NAGAR MAIN ROAD, MRC NAGAR, CHENNAI 600 028.,
REP.BY ITS AUTHORISED SIGNATORY.