



A.No.5914 of 2024 in O.P.No.246 of 2023

Dr.G.JAYACHANDRAN, J.

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This application is filed to appoint Advocate Commissioner to record the evidence of attesting witness to the Will of A.V.Rajalakshmi. The attesting witness Mr.S.V.Sathyamurthy appears to be ailing from Diabetes Mellitus and has also undergone bypass surgery, causing difficulty in breathing of exertion. Hence, the petitioner sought for recording evidence of the attesting witness through an Advocate Commissioner.

2. The Learned Counsel for the respondents states that they have no objection in allowing this application. Hence, this application is allowed on the following terms:-

3. Mr.K.Sakthivel, Advocate, Phone No.93442 31497, No.397, New Additional Law Chambers, High Court Buildings, Chennai is appointed as Advocate Commissioner for recording evidence of Mr.S.V.Sathiyamoorthy, residing at No.6/84P, Sampooram Avenue, Vadapalani, Chennai. The Advocate Commissioner shall collect the original *Will* marked as Ex.P.1 of A.V.Rajalakshmi from the Registry, visit the witness's residence, record the evidence of witness and submit his report along with original *Will* on or before 26.12.2024.

4. The Advocate Commissioner remuneration of Rs.15,000/- to be paid by the applicant/petitioner on or before 12.12.2024.

5. Accordingly, this Application No.5914 of 2024 is allowed.

02.12.2024

bsm