



A.No. 3566 of 2025
in
T.O.S. No. 9 of 2021

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.08.2025

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

A.No. 3566 of 2025
in
T.O.S. No. 9 of 2021

1.Anirudh alias Anirudh Krishna
2.Sriaditi

...Applicants

Vs.

Nalini Viswanathan

... Respondent

Prayer : This application has been filed under Order XIV Rule 8 of the Original Side Rules read with Section 151 of the Code of Civil Procedure, praying to re-open the plaintiff side evidence for the purpose of examining the further witnesses in the above TOS.

For applicants : Mr.P.R.Raman, Senior Counsel
For Mr.C.Seethapathy
For Respondent : Mr.Geetha Rameseshan

This application has been filed seeking to reopen the evidence on the side of the plaintiff to examine further witness.



A.No. 3566 of 2025
in
T.O.S. No. 9 of 2021

WEB COPY

2.The plaintiff, during the course of the trial had examined two witnesses. PW1 is the second plaintiff and the PW2 is the one of the attesting witnesses. Thereafter, the defendant had examined himself/herself as DW1. The recording of evidence had been completed and the mater had been posted before this Court for advancing arguments.

3.At that stage, this application has been filed seeking to examine the scribe who had prepared the Will.

4.It is contended that this evidence is required to answer one of the issues, which had been framed on examination of the pleadings.

5.Heard the learned counsel for the defendant also.

6.The learned counsel for the defendant would be granted every opportunity to cross-examine the witness. But the Court should also afford all opportunities to any party to any litigation to adduce evidence both oral and documentary to substantiate their case.



A.No. 3566 of 2025
in
T.O.S. No. 9 of 2021

WEB COPY 7. Taking that view into consideration, this application is allowed.

However, subpoena to be issued to the proposed witness and the evidence in Chief to be taken orally.

Maya

12.08.2025
1/2



WEB COPY



A.No. 3566 of 2025
in
T.O.S. No. 9 of 2021

C.V.KARTHIKEYAN, J.

Maya

A.No. 3566 of 2025
in
T.O.S. No. 9 of 2021

Dated : 12.08.2025