



WEB COPY



A.No.4802 of 2025 in C.S.No.88 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.10.2025

CORAM :

THE HON'BLE MR.JUSTICE P.DHANABAL

Application No.4802 of 2025
in C.S.No.88 of 2024

T.Vanajakshi
W/o.Late A.M.Thirunavukkrasu,
No.19/10, Cathedral Garden Road,
Nungambakkam, Chennai 600 034.

Applicant

Vs

Tarun Muruges
S/o.Late T.Muruges,
New No.16, Old No.55, First Floor, Giri Road,
T.Nagar, Chennai 600 017.

Respondent

For Applicant : Mr.B.Arvind Srevatsa

For Respondent : Mr.S.Sathish Rajan

ORDER

This application has been filed by the applicant to appoint an Advocate-Commissioner to record evidence of the applicant as D.W.1 in C.S.No.88 of 2024 at the residence of the applicant situated at No.19/10, Cathedral Garden Road, Nungambakkam, Chennai-34.



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2. According to the applicant, she is the defendant in the main suit and the suit was filed by the respondent for declaration (i) to declare the unilateral cancellation of settlement deed dated 2.12.2010 executed by late T.Murugesh as null and void; (ii) to declare the settlement deed dated 23.8.2013 executed in favour of the defendant in respect of 'C' schedule property as null and void; and, (iii) permanent injunction restraining the applicant from in any way alienating, settling, releasing or encumbering the suit property. The applicant has already filed written statement and the case is posted for trial. The plaintiff examined himself as P.W.1 and marked 9 documents. Now the case is posted for defendant's side evidence. The applicant/defendant is aged 91 years and unable to come to the Court to give evidence and, further, she is suffering from ailments. Therefore, the applicant filed the present application to appoint an Advocate-Commissioner to record her evidence as D.W.1.

3. Learned counsel appearing for the respondent/plaintiff has no serious objection for allowing this application.

4. Considering the reasons stated in the affidavit filed in support



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of the application and the age of the applicant, this application is allowed and **Mr.K.Senthil Kumar, Advocate, [Mobile No.9842645014, e-Mail ID – kksattorney@gamil.com] Enrollment No.3007/2007, No.386, New Additional Law Chambers, High Court Buildings, Chennai-600 104,** is appointed as Advocate-Commissioner to record evidence of the applicant/defendant as D.W.1 at her residence and file a report before this Court. The remuneration of the Advocate-Commissioner is fixed at Rs.25,000/- [Rupees Twenty Five Thousand only] payable by the applicant/defendant directly to the Advocate-Commissioner. The Advocate-Commissioner is directed to complete the recording of evidence within a period of one month.

Post the matter on 24.11.2025.

14.10.2025

Note:

Registry is directed to forthwith issue warrant to the Advocate-Commissioner.

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P.DHANABAL, J.

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