



A. No. 5250 of 2025 and T.O.S. No. 6 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.11.2025

CORAM

THE HONOURABLE Dr. JUSTICE R.N.MANJULA

A. No. 5250 of 2025

and

T.O.S. No. 6 of 2023

K.Ramamoorthy

...Applicant

Vs.

1. S.R.Gopalakrishnan

2. Lalitha Ananthanarayanan

... Respondents

Prayer : This application has been filed under Order XXIV Rule 8 of the Original Side Rules read with Order XXVI Rule 3 of the Code of Civil Procedure, praying to summon Mr.P.Pandian son of Late Pakkirisamy, residing at No.C/111, Link Apartments, Hira Nagar, Link Road, Mulund West, Mumbai – 400 080 as witness in T.O.S. No. 6 of 2023.

For applicant : Mr.C.P.Prasanth Gopal

For Respondents : Mr.K.Senthil Kumar

ORDER

This application has been filed to summon one of the attestors, viz., Mr.P.Pandian, to examine as witness.



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2. The learned counsel for the applicant submitted that one of the attestors, viz., Mr.P.Pandian is refused to come to Court to depose evidence. One of the other attesting witnesses has already died. Unless this attestor is examined as witness, the plaintiff may not be able to prove the Will.

3. As this application has been filed seeking for issuance of summons from the Court to bring the attesting witness and in the interest of justice, **this application is allowed.** No costs.

4. Registry is directed to issue summons to Mr.P.Pandian son of Late Pakkirisamy, residing at No.C/111, Link Apartments, Hira Nagar, Link Road, Mulund West, Mumbai – 400080 as witness in T.O.S. No. 6 of 2023 returnable by 24.11.2025.

5. Registry is also directed to list the matter before the Additional Master No.II for recording of further evidence on 24.11.2025.

03.11.2025

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Dr. R.N.MANJULA, J.

Maya

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