



WEB COPY

A No. 402 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-01-2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

A No. 402 of 2026

and

OP No. 105 of 2025

E.Manoharan

..Applicant

Vs

1. E.Malathi
2. E.Manishankar
3. M.Sashi Rega
4. M.Madan Raj
5. Minor M.Kanish

..Respondents

Prayer in Application No.402 of 2026: To issue a commission through Advocate Commissioner to examine the said attesting witness, S.Saraswathy, residing at No.127/55, Kandasami Koil Street, Kospet, Chennai 600 012, the attesting witness as P.W.2.

For Applicant:

Ms.B.Aparna Sundar

For R1 to R5:

Mr.K.S.Ramamurthy

ORDER

This application has been filed to issue a commission through Advocate Commissioner to examine the attesting witness as P.W.2, S.Saraswathy.



2. The Applicant is the petitioner in the main petition, has filed this petition. Already P.W.1 has been examined and now the attesting witness as P.W.2 has to be examined. The said attesting witness as P.W.2 is aged about 82 years and therefore she is unable to physically appear before the Court. Therefore, the petitioner has filed this application to examine the attesting witness through an Advocate Commissioner.

3. Considering the reasons stated in the affidavit and no objection for the present petition on the part of the respondents, it is appropriate to allow this petition. Accordingly, this petition is allowed. Mr.Sashank P.Srinivas is appointed as Advocate Commissioner to record the evidence of the attesting witness as P.W.2. The petitioner is directed to pay a commission of Rs.25,000/- to the Advocate Commissioner directly to record the evidence.

4. Post the matter on 23.02.2026.

shl

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P.DHANABAL J.

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