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T.O.S. No. 6 of 2018
and C.S. No. 376 of 2017

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C.V.KARTHIKEYAN, J.

A report had been filed by the learned Advocate Commissioner, who had the assistance of Dr.C.Jayanthi, a registered Medical Practitioner, who had examined Mr.S.Jaganathan, aged about 82 years, residing at No.T 86A, 29th Cross Street, Besant Nagar, Chennai-600090 and had given a report that owing to the ailment suffered by him, it may not be prudent for him to come over to the Court and to tender evidence. This report is taken on record.

2. The same Advocate Commissioner, Ms.A.Shanmukasundari is appointed to record the evidence of Mr.S.Jaganathan, one of the attesting witness of the Will, who will be examined as PW2.

3. The Advocate Commissioner may issue notice to both the learned counsels and get the convenience of the witness and determine a date and record the evidence in chief and also cross-examination of the said witness.

4. Registry may forward the Will, which had been filed along with the Original Petition in O.P. No. 676 of 2017. The evidence in-



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chief to be taken orally and the witness may be cross-examined on the same day provided there is sufficient time available and if the witness is able to withstand recording of evidence.

5. List before this Court after the evidence of PW2 is recorded. A memo had been filed by the Advocate Commissioner seeking additional remuneration and also remuneration of the Doctor. The remuneration of Rs.5,000/- is directed to be paid by the plaintiff directly to Dr.C.Jayanthi as remuneration for the Doctor and receipt thereof may be filed in the Court. Insofar as additional remuneration of the Advocate Commissioner is concerned, it could be decided after the evidence is recorded and report submitted to this Court.

6. Registry may issue a fresh Warrant to the Advocate Commissioner to A.Shanmukasundari giving her authority to record the evidence and on memo also give her a copy of the Will filed along with the Original Petition with proper and due acknowledgement.

11.08.2025

Maya



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C.V.KARTHIKEYAN, J.
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Dated : 11.08.2025