

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.03.2015

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

C.R.P.(PD) NO.1182 OF 2015
AND M.P.NO.1 OF 2015

Family Manager A.M.Maharajan ... Petitioner

Vs.

1.Venkatasubramanian Krishnan
2.Jayabhagirathi ... Respondents

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India against the fair and final order dated 12.02.2015 made in I.A.No.1295 of 2014 in O.S.No.128 of 2010 on the file of the District Munsif Court, Gobichettipalayam.

For Petitioner : Mr.T.Muruga Manickam

ORDER

Heard the submissions made by Mr.T.Muruga Manickam, learned counsel for the petitioner and perused the materials available on record.

2.This Civil Revision Petition is directed against the order dated 12.02.2015 passed in I.A.No.1295 of 2014 in O.S.No.128 of 2010 by the learned District Munsif, Gobichettipalayam.

3.The respondents herein had instituted the suit in O.S.No.128 of 2010 against the petitioner herein for declaration and permanent injunction. The Trial Court in I.A.No.447 of 2010 appointed an Advocate Commissioner to note down the physical feature of the suit property.

4.After filing of the report by the Advocate Commissioner on 07.06.2010 and at the instance of the petitioner, another Advocate Commissioner was appointed in I.A.No.1205 of 2011. The second Advocate Commissioner inspected the suit property and filed his report along with plan on 27.02.2012.

5.The suit was posted in the special list on 16.10.2014 and after chief examination of P.W.1 was over and when the suit was posted for cross examination of P.W.1, the petitioner filed an application in I.A.No.1295 of 2014 for appointment of another Advocate Commissioner to measure the suit property wherever it is necessary. The Trial Court having found that the application was filed at the belated stage to prolong the litigation, dismissed

the same on 12.02.2015. Hence, I do not find any reason to interfere with the order impugned in this Civil Revision Petition.

6.In the result, this Civil Revision Petition is dismissed. No costs.
Consequently, connected miscellaneous petition is closed.

26.03.2015

Index : Yes/No
Internet : Yes/No
TK

To

The District Munsif
Gobichettipalayam.

K.KALYANASUNDARAM, J.

TK

C.R.P.(PD) NO.1182 OF 2015

26.03.2015