



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.09.2015

CORAM:

THE HONOURABLE MR.JUSTICE P.DEVADASS

C.R.P.PD(MD)No.1768 of 2015

Periyasamy

... Petitioner/4th Respondent/4th Defendant
Vs.

1.Pappathi

2.Prakasam

3.Karuppasamy

... Respondents 1to3/Petitioners/Plaintiffs

4.The District Collector,
Trichy District, Trichy.

5.The Revenue Divisional Officer,
Musiri Taluk,
Trichy District.

6.The Thasildar,
Musiri Taluk,
Trichy District.

... Respondents 4to6/Respondents 1to3/Defendants
1to3

7.Radha @ Radha Krishnan

8.Velmurugan

9.Onthayee

... Respondents 7to9/Respondents 5to7/Defendants
5to7

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India, seeking an order directing the District Munsif, Trichy to dispose of the Interlocutory Application in I.A.No.959 of 2010 in O.S.No.232 of 2010 on the file of the District Munsif, Musiri as expeditiously as possible.

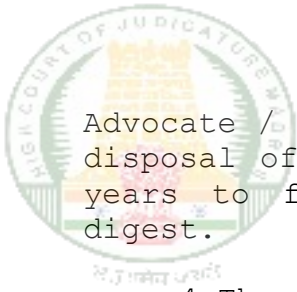
For Petitioner : Mr.R.Rajaraman
For Respondents : No appearance

ORDER

A direction to the learned District Munsif, Musiri to direct the learned Advocate / Commissioner namely, Mr.S.Muthuselvam, Musiri Bar, to file his report without further delay, has been sought for by the 4th defendant in O.S.No.232 of 2010.

2.Hearing the learned counsel for the petitioner and on perusal of the material on record it is seen that the said Mr.Muthuselvam a learned member of the Musiri Bar has been appointed as a Commissioner in this case as early as on 08.07.2011. Still the learned Advocate / Commissioner has not submitted his report. Thus, non filing of the Commissioner's report act as a speed breaker for taking further steps in the suit.

3. In such circumstances, it is the duty of the Presiding Officer of the Court to see that the report is filed early by giving instruction and interaction with the learned Advocate / Commissioner. Non-filing of



Advocate / Commissioner report is also one of the reason for the delay in disposal of a civil suit. Some times, it may take some time. But four years to file Advocate / Commissioner's report is very difficult to digest.

4.The learned District Munsif, Musiri will persuade the Advocate / Commissioner's to file his report. This exercise shall be completed within one month from the date of receipt of a copy of this order. The learned Principal District Judge, Trichy, who is making regular annual inspection of the Subordinate Courts including with respect to filing of Commissioner's report shall take note of this and also issue necessary instructions to the learned District Munsif, Musiri to evince keen interest in this regard and see that the learned Advocate / Commissioner filed his report without further delay.

5.Accordingly, the Civil Revision Petition is disposed of. No costs.
sd/-

Assistant Registrar(RTI)

/True copy/

Sub Assistant Registrar

nbg

To

1.The Principal District Judge, Trichy.

2.The District Munsif, Musiri.

+one cc to Mr.R.Rajaraman, Advocate in SR.No.51779

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CSL/NGM-SS/15.09.2015
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