

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

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CIVIL REVISION PETITION No.185 of 2015

ORDER:

Heard the learned counsel for petitioners and the learned counsel for respondent.

2. The petitioners are defendants in O.S.No.83 of 2013 on the file of the Court of Junior Civil Judge, Pakala (for short, trial Court). They filed I.A.No.496 of 2014 seeking appointment of an Advocate Commission with the following prayer.

“...pleased to order to appoint court commissioner along with Mandal Surveyor, Pakala to find out that there is Dhari leads from Pantapalle to Palinenivaripalle Village through the plaint schedule property and other agricultural fields basing on the Revenue village map and to note down the existing physical features of the plaint schedule mentioned property and pass such other reliefs.”

3. The said application was allowed by order of the trial Court dated 27.10.2014, as follows:

“8. In the result, petition is allowed partly. Mr.G.Chandra Mohan, Advocate is appointed as an Advocate Commissioner to note down the existing physical features in the petition schedule property with the assistance of Mandal Surveyor. Court directed the Advocate Commissioner to issue notice to both parties and their respective counsel before he visiting the petition schedule mentioned property. Advocate Fee is fixed at Rs.1,500/- payable by the petitioner at the time of executing the warrant.”

Challenging the said order, the present Civil Revision Petition is filed.

4. Though the petitioners filed the present Civil Revision Petition, they are unable to show their grievance in the impugned order when the impugned order

allowed their application. When an Advocate Commissioner visits the site and notes down the physical features of the petition schedule property with the assistance of Mandal Surveyor, he would note all the physical features existing on the site. The learned counsel for petitioners is also entitled to give a memo for noting down the physical features and hence, there cannot be any apprehension in the mind of the petitioners.

5. Accordingly, the Civil Revision Petition is dismissed. No order as to costs. Miscellaneous Petitions, if any pending, shall stand closed.

A.RAMALINGESWARA RAO, J

Date: 03.12.2015

TJMR