



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.07.2016

CORAM

THE HONOURABLE MR. JUSTICE K. KALYANASUNDARAM

C.R.P. (MD) No.1997 of 2015

and

M.P. (MD) No.1 of 2015

S.K.Ravichandran

.. Petitioner/Petitioner

Vs.

1. S.M.Krishnasamy Raja
2. Muthulakshmi
3. Kasthuriammal
4. Jeyanthi
5. Suganthi
6. Kalyani
7. Vimal

.. Respondents/Respondents

Prayer: Petition filed under Section 227 of Constitution of India to set aside the fair and decreetal order dated 09.07.2015, passed in I.A.No.106 of 2013 in O.S.No.105 of 2006 on the file of the Subordinate Court, Srivilliputhur.

For Petitioner : Mr.S.Vinoth for A.Sivaji

For Respondents : Mr.K.Sudalaiyandi

ORDER

This Revision arises out of the order passed by the Subordinate Court, Srivilliputhur in I.A.No.106 of 2013 in O.S.No.105 of 2006, dated 9.07.2015.

2. Heard the learned counsel for the petitioner and the learned counsel for the respondents and perused the entire materials available on record.

3. The petitioner filed a suit against the respondents for partition and separate possession of his share in the suit property in the year 2006. The first respondent filed the application in I.A. No.365 of 2008 to include the suit in the special list, that was also allowed. Since the petitioner was not ready to get along with the case and therefore, C.R.P.No.376 of 2010 was filed by the first respondent for speedy disposal of the suit.

4. It is seen from the records that the petitioner allowed the suit to be dismissed for default and after restoration of the suit, filed the present application to appoint an Advocate



Commissioner to note down the physical features of the suit property.

5. The Trial Court, taking into account the conduct of the petitioner, dismissed the application observing that the petitioner is trying to delay the proceedings.

6. In such view of the matter, I do not find any perversity or illegality in the order impugned in this Revision. **In fine**, this Civil Revision Petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/

Assistant Registrar (CS-I)

/TRUE COPY/

Sub Assistant Registrar

To
The Subordinate Judge,
Srivilliputhur.

+1cc to M/S.A.Sivaji, Advocate in SR.No.39921

+1cc to M/S.K.Sudalaiyandi, Advocate in SR.No.39274

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pmu

PA/AAL-MPA/SAR III/09.09.2016/2P/4C (IT)