



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 24.08.2016

CORAM:

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THE HONOURABLE **MR. JUSTICE K. KALYANASUNDARAM**

C.R.P (MD) No.1625 of 2016 (PD)

Selvam

.. Petitioner/Petitioner/
Plaintiff

Vs.

1.Nakkeeran
2.Vijaya
3.Veeran

.. Respondents/Respondents/
Defendants

Prayer : This Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the fair and decretal order, dated 27.04.2015, made in I.A.No.170 of 2015 in O.S.No.151 of 2012 on the file of the District Munsif Court, Pudukkottai, and allow this Civil Revision Petition.

For Petitioner : Mr.V.Selvakumar

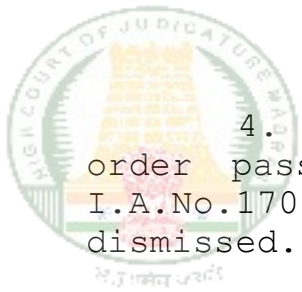
ORDER

This revision is directed against the order of the learned District Munsif, Pudukkottai, dated 27.04.2015, made in I.A.No.170 of 2015 in O.S.No.151 of 2012.

2. The petitioner is the plaintiff. He instituted a suit in O.S.No.151 of 2012 against the respondents for permanent injunction. Pending suit, the plaintiff filed I.A.No.170 of 2015 under Order 26 Rule 9 of C.P.C., for appointment of an Advocate Commissioner to measure the property with the help of the Village Administrative Officer and Surveyor, contending that he has been in possession of the suit property. The respondents disputing the fact. It is further alleged that the defendants have attempted to trespass into the suit property.

2. Heard the learned counsel for the petitioner and perused the records.

3. The learned District Munsif, Pudukkottai, dismissed the application I.A.No.170 of 2015, by observing that in a suit for permanent injunction, an Advocate Commissioner cannot be appointed to ascertain the possession of the property and for collection of evidence.



4. Hence, I do not find any perversity or illegality in the order passed by the learned District Munsif, Pudukkottai, in I.A.No.170 of 2015. In the result, this Civil Revision Petition is dismissed. No Costs.

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Sd/-

Assistant Registrar(Writs)

/TRUE COPY/

Sub Assistant Registrar

To

The District Munsif Court,
Pudukkottai.

PJL

JA-GSV-PM-22.09.2016/2P:2C

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