



3. According to the petitioner, the said order passed by the Court below was without considering the provisions as contemplated under the Civil Procedure Code. Therefore, the said order passed by the Court below in the present application has liable to be set aside.

4. Per contra the learned counsel for the first respondent would submit that pursuant to the order passed by the Court below, the Advocate Commissioner inspected the suit property and submitted his report before the Court below. Thereafter, as per the dismissal of stay petition, vacate stay petition filed by the first respondent was dismissed by this Court. Therefore, this Revision petition is liable to be set aside.

5. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the first respondent and perused the records.

6. On perusal of records, as per the order passed by the Court below in the present application, the Advocate Commissioner visited the suit property and submitted the report and pursuant to the submission of the report, the stay application was dismissed by this Court.

7. Therefore, in view of the said facts, nothing survives in the present Civil Revision petition and I am not inclined to interfere with this petition. Hence, the Civil Revision petition is dismissed. However, the learned counsel for the petitioner would seek liberty to file an application to scrap the report filed by the Advocate Commissioner. It is open to the Revision petitioner to file an appropriate application before the Court below. There is no order as to costs. Consequently, connected Miscellaneous petition is closed.

Sd/
Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar.

To
The District Munsif cum Judicial Magistrate,
Kodaikanal.

+1CC to M/S.Ajmal Associates,, SR.No. 69798

C.R.P.(PD)No.985 of 2011 and
M.P.(MD)No.3 of 2011
16.11.2016