

**HON'BLE SRI JUSTICE C. PRAVEEN KUMAR**

**CIVIL REVISION PETITION No.5278 of 2016**

**ORDER :**

Heard learned counsel for petitioner and Government Pleader for Arbitration. With the consent of both parties, the revision is disposed of.

2. The petitioner/plaintiff filed this revision aggrieved by the docket order dated 29.09.2016 in O.S.No.17 of 2014 on the file of the Senior Civil Judge, Palamaner, where the trial Court directed the petitioner to file valuation certificate relating to disputed property.

3. Originally, O.S.No.17 of 2014 came to be filed by plaintiff seeking permanent injunction. Subsequently, the plaintiff filed I.A.No.595 of 2012 for amendment of the plaint seeking the relief of declaration of right and title over the suit 'B' schedule property apart from permanent injunction which was allowed. Initially, the plaintiff filed valuation certificate, dated 17.12.2005, wherein the property was valued at Rs.23,71,600/- as such, he paid a court fee of Rs.8,426/-. Pursuant to the order passed by the trial Court on 29.09.2016, the plaintiff obtained fresh valuation certificate dated 25.10.2016 from the office of the Sub Registrar, Palamaner, wherein the suit property was classified as 'Government Land', thereby showing the value of the property as Rs.0/-.

4. Learned counsel for the petitioner submits that in view of the said valuation certificates, the trial Court may be directed to consider both the certificates and pass orders thereon.

5. Having regard to the above circumstances, without going into the merits of the case, and taking into consideration the submission made by the learned counsel for the petitioner, the C.R.P. is disposed of directing the trial Court to consider both the valuation certificates filed by the petitioner and pass appropriate orders in accordance with law at the earliest.

6. Miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

23<sup>rd</sup> December 2016.

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**C. PRAVEEN KUMAR, J**

