

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.01.2017

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

C.R.P.(PD).No.291 of 2017  
and  
C.M.P.No.1277 of 2017

Mahathma

.. Petitioner

Vs.

1. Sathyavani

2. Velliyangiri

3. Mayandi

4. Naveen

5. Ganapathy

(Respondents 2 to 5 are given up)

.. Respondents

Civil Revision Petition filed under Article 227 of the Constitution of India against the petition and order dated 15.06.2014 in I.A.No.358 of 2014 in O.S.No.47 of 2014 on the file of the District Munsif Court, Harur, Dharmapuri District.

For petitioner : Mr.Durai Gunasekaran

ORDER

The revision petition is filed challenging the order passed in I.A.No.358 of 2014 appointing an Advocate Commissioner in a suit for declaration and injunction. The first defendant is the revision petitioner. According to him, the appointment is done without notice to him. In fact, it

is stated that the revision petitioner has filed another application, which is not yet numbered, to cancel the said order passed in I.A.No.358 of 2014. The only grievance of the revision petitioner is that he was not put on notice before appointing the Commissioner. In view of the fact that the Commissioner has not yet executed the warrant, the learned Advocate Commissioner is directed to execute the warrant issued to him, after giving due notice to both the plaintiff and the defendants, indicating the date and time of his visit. The other application, which is not yet numbered, filed by the revision petitioner/first defendant, is not maintainable and the same may be returned by the Court below. With these observations and direction, the Civil Revision Petition is dismissed. No costs. C.M.P. is closed.

30.01.2017

CS

Copy to

The District Munsif, Harur, Dharmapuri District.

PUSHPA SATHYANARAYANA, J

CS

C.R.P.(PD).No.291 of 2017

30.01.2017

<http://www.judis.nic.in>