

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.09.2017

C O R A M

THE HONOURABLE MR.JUSTICE M. GOVINDARAJ

C.R.P.(PD) NO.207 OF 2015
AND M.P.NO.1 OF 2015 AND CMP NO.14109 OF 2017

G.Jayabalan

... Petitioner

Vs.

1.Loganathan Reddy
2.P.L.Babu
3.P.L.Nathan
4.P.L.Palani
5.P.L.Sivakumar

... Respondents

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India against the order and decree dated 21.08.2014 made in I.A.No.687 of 2014 in O.S.No.32 of 2014 on the file of District Munsif Court, Tiruttani.

For Petitioners : Mr.A.Gouthaman

ORDER

This Civil Revision Petition is directed against the order dismissing the interlocutory application filed for appointment of Advocate Commissioner to measure the disputed property with the aid of District Surveyor.

2. Record of proceedings shows that notice was ordered on 02.02.2015 and Mr.V.P.Rajendran, learned counsel, entered appearance on behalf of the respondents.

3. The learned counsel appearing for the respondents would submit that instead of going into the merits of the case, the Civil Revision Petition can be allowed and a direction may be given to dispose of the suit itself within the time stipulated by this Court.

4. The learned counsel appearing for the petitioner is also agreeable for the same.

5. Considering the submissions made, without going into the merits of the case, a direction is issued to the learned District Munsif, Tiruttani, to appoint an Advocate Commissioner to measure the property with the assistance of District Surveyor, within a period of two weeks from the date of receipt of a copy of this order and the inspection shall be completed within a period of two weeks thereafter. Since it is submitted that the matter is still pending in the trial stage, a further direction is

issued to the learned District Munsif, Tiruttani, to complete the proceedings, within a period of two months from the date of receipt of the report from the Advocate Commissioner. If at all the parties are aggrieved over the Advocate Commissioner's report, they are permitted to file their objections, if any, within the time limit fixed by this Court for disposal of the suit.

6. With the above observation and direction, the Civil Revision Petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

06.09.2017

Index : Yes/No
Internet : Yes/No
TK

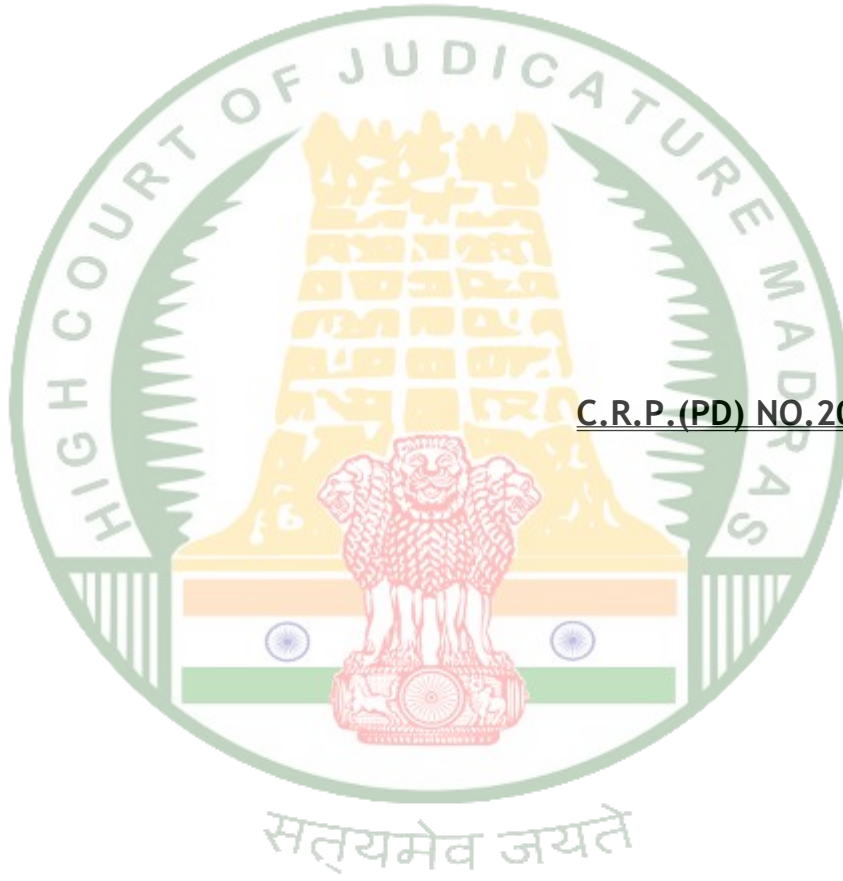
To

The District Munsif Court
Tiruttani.

WEB COPY

M.GOVINDARAJ, J.

TK



C.R.P.(PD) NO.207 OF 2015

WEB COPY

06.09.2017