

THE HON'BLE SRI JUSTICE T. SUNIL CHOWDARY

CIVIL REVISION PETITION No.4652 Of 2017

ORDER:

1 This Civil Revision Petition, under Article 227 of the Constitution of India is filed challenging the order dated 10.08.2017 passed in I.A.No.1239 of 2017 in I.A.No.204 of 2017 in O.S.No.50 of 2017 on the file of the Court of the III Additional Junior Civil Judge, Kadapa.

2 Heard the learned counsel for the petitioner and the respondents.

3 A perusal of the record reveals that the respondents filed O.S.No.50 of 2017 on the file of the Court of the III Additional Junior Civil Judge, Kadapa against the petitioner for perpetual injunction in respect of the suit schedule property. During the pendency of the suit, the respondents filed I.A.No.1239 of 2017 seeking appointment of Advocate Commissioner to localise the suit schedule property. The trial Court allowed that petition appointing Sri T. Rajasekhar as Advocate Commissioner to measure the suit schedule property with the help of Mandal Surveyor.

4 It is the case of the petitioner that he purchased the property in Sy.No.691/4, whereas the case of the respondents is that they purchased the land in Sy.No.691/6. The respondents have mentioned the boundaries of the plaint schedule property. The petitioner mentioned the boundaries of his land in para No.7 of the written statement.

5 In order to put a quietus to the dispute once for all, both counsel have agreed for appointment of an Advocate Commissioner to

measure the land in Sy.No.691/4 and Sy.No.691/6 with reference to the boundaries mentioned in the plaint schedule as well as the boundaries mentioned in para No.7 of the written statement filed by the petitioner.

6 In view of the consensus arrived at by the learned counsel for both the parties, the Advocate Commissioner is hereby directed to measure the plaint schedule property which is situated in Sy.No.691/6 and the land in Sy.No.691/4 with reference to the boundaries mentioned in the plaint schedule as well as the boundaries mentioned in para No.7 of the written statement and file report before the trial court.

7 This Civil Revision Petition is accordingly disposed of. No order as to costs. As a sequel, miscellaneous petition, if any, pending in this Civil Revision Petition shall stand dismissed.

Date: 17.11.2017
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T. SUNIL CHOWDARY, J.