



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 03.09.2018

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
C.R.P. (PD) (MD) .No.2195 of 2017

and

C.M.P. (MD) No.10774 of 2017

Ganesan

... Petitioner

Vs.

1.Kalyani Sundari

2.Arputha Sukumar

... Respondents

PRAYER: Petition filed under Article 227 of the Constitution of India, to call for the records pertaining to the fair and decreetal order passed by learned Additional District Munsif, Ambasamudram in I.A.No.689 of 2017 in O.S.No.68 of 2016 dated 08.08.2017.

For petitioners : Mr.K.P.Narayanakumar
For Respondent : Mr.A.Arumugam
For M/s.Ajmal Associates

ORDER

The defendant in O.S.No.68 of 2016 on the file of the Additional District Munsif, Ambasamudram is the revision petitioner herein. The plaintiffs filed I.A.No.689 of 2017 for appointment of an advocate commissioner. The same was allowed by the Court below by order dated 08.08.2017, which is questioned in this Civil Revision Petition.

2.The learned counsel appearing for the petitioner reiterated the contentions set out in the memorandum of grounds. The Court below took note of the fact that this is a case of mandatory injunction and therefore it is necessary to establish the encroachment said to have been made by the other side. The Court below was of the view that it is necessary to appoint an advocate commissioner to establish this fact. This Court finds no reason to interfere with the order impugned in this Civil Revision Petition.

3.Accordingly, this Civil Revision Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Writs)

// True Copy //



To:

1. Additional District Munsif,
Ambasamudram.

2. The Record Keeper,
VR Section,
Madurai Bench of Madras High Court,
Madurai. (2 copies)

+1cc to Mr.K.P.NARAYANAKUMAR, Advocate, SR.No.81948

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