



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.09.2018

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

CRP (PD) (MD)No.782 of 2017

and

CMP (MD)No.3571 of 2017

Ramasamy

... Petitioner/Petitioner/Defendant

-Vs.-

1.Rethinathammal

2.Chandra

...Respondents/Respondents/Plaintiffs

Prayer : Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order dated 09.02.2017 against I.A No.167 of 2016 in O.S No.100 of 2013 on the file of the learned District Munsif Court, Pattukkottai.

For Petitioner : Mr.K.Baalasundharam

For Respondents : Mr.D.R.Murugesan

ORDER

The defendant in O.S No.100 of 2013 on the file of the learned District Munsif Court, Pattukkottai is the revision petitioner herein. The suit was filed for declaration and permanent injunction. In the said suit, the revision petitioner filed I.A No.167 of 2016 for appointing an Advocate Commissioner. The court below by order dated 09.02.2017 dismissed the said I.A. Questioning the same, this civil revision petition has been filed.

2.Heard the learned counsel on either side.

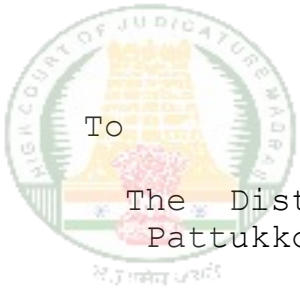
3.It is seen that there is no dispute regarding the identity of the suit property. That apart, it is also seen that an Advocate Commissioner was appointed earlier and he has also submitted his report. In these circumstances, there is absolutely no justification for appointing one more Advocate Commissioner for the very same relief. No case has been made out for interfering with the order passed by the court below.

4.There is no merit in this civil revision petition. It stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(W)

/True Copy/



To

The District Munsif,
Pattukkottai.

+1CC to Mr.D.R.Murugesan, Advocate, SR.No.87638

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SKM

ES/PM/SAR 2/02.11.2018/2P/3C