



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.09.2018

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P. (MD) .No.1411 of 2016 and
C.M.P. (MD) No.6901 of 2016

1. Selvan
2. Vimala Christy ... Petitioners/Petitioners/
Plaintiffs

Vs.

Levi ... Respondent/Respondent/
Defendant

PRAYER : Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the fair order and decreetal order passed in I.A.No.26 of 2016 in O.S.No.179 of 2014, dated 17.02.2016 on the file of the Principal District Munsif Court, Kuzhithurai.

For Petitioners : Mr.R.Nandakumar

For Respondent : Mr.K.Sreekumaran Nair

O R D E R

The plaintiffs in O.S.No.179 of 2014 on the file of the learned District Munsif, Kuzhithurai, are the Revision petitioners herein. The suit is one for cancelling the sale deed executed by the plaintiffs dated 11.04.2014. The plaintiffs also asked for a decree for permanent injunction. In the said suit, the Revision petitioners took out I.A.No.26 of 2016 for appointment of an Advocate Commissioner. The Court below rightly observed that the matters set out in the affidavit filed in support of I.A.No.26 of 2016 have nothing to do with the issues raised in the main suit. Appointment of Advocate Commissioner is absolutely unnecessary for adjudicating the issues raised in the suit.

2. In this view of the matter, concurring with the reasons set out by the Court below, the Civil Revision petition stands dismissed. The suit is of the year 2014. The learned District Munsif, Kuzhithurai, is directed to dispose of O.S.No.179 of 2014 within a period of four months from the date of receipt of a copy of



this order. No costs. Consequently, connected Miscellaneous petition is closed.

Sd/
Assistant Registrar(CS-II)

/True copy/

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Sub Assistant Registrar(CS-II)

To

The Principal District Munsif,
Kuzhithurai.

+1cc to Mr.R.NANDAKUMAR, Advocate, SR.No. 82714

+1cc to Mr.K.SREEKUMARAN NAIR, Advocate, SR.No. 82266

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