



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.09.2018

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P. (PD) (MD) .No.2524 of 2016

and

C.M.P. (MD) No.11912 of 2016

1.S.Regina Devi
2.Sathya Sridhar ... Revision Petitioners/Respondents/Defendants

Vs.

Chellakannu @ Chokkalingam (Insane Person)
Rep. through his son and next friend C.Muthukumar.
... Respondent/Petitioner/Plaintiff

PRAYER: Petition filed under Section 227 of Constitution of India to set aside the fair and decreetal order passed in I.A.No.276 of 2016 in O.S.No.116 of 2016 on the file of the District Munsif Court, Tirumangalam dated 07.11.2016.

For petitioners : Mrs. T.Sathya Selvi
for Mr.D.Saravanan

For respondent : Mr.M.Saravanan
for R.Subramanian

ORDER

The defendants in O.S.No.116 of 2016 on the file of the District Munsif Court, Tirumangalam are the revision petitioners herein. It is a suit for declaration and mandatory injunction. The plaintiff filed an I.A.No.276 of 2016 for appointing an advocate commissioner. The Court below by order dated 07.11.2016 allowed the same. Questioning the same, this Civil Revision Petition has been filed.

2.Heard learned counsel on either side.

3.Since, the relief of mandatory injunction has been sought and allegation of encroachment has been made, the Court below rightly appointed an advocate commissioner.

4.In the interest of justice and based on the consent of the counsel on either side, Mr. C.Kannan, Ph.No.9843036318, is appointed as an advocate commissioner. The Court below shall issue warrant to him with appropriate terms.



5.No case is made out for interference. Accordingly, this Civil Revision Petition is dismissed. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar

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/True Copy/

Sub Assistant Registrar(CS-II)

To:

1. The District Munsif,
Thirumangalam.
2. Mr. C.Kannan, Advocate, Ph.No.9843036318
3. The Record Keeper, (2copies)
VR Section,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.R.Subramanian, Advocate Sr.No.87835

PNN

VB/SV/SAR2/12.12.2018/2P/6C

ORDER MADE IN
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and
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