



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:23.08.2018

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P. (PD) (MD)No.1825 of 2018

and

CMP (MD)No.7993 of 2018

D.Marimuthu ... Petitioner / Petitioner / Plaintiff

Vs.

T.Natarajan ... Respondent / Respondent / Defendant

PRAYER: Petition filed under Section 227 of Constitution of India, to set aside the order dated 03.08.2018 passed by the District Munsif, Palani in I.A.No.504 of 2018 in O.S.No.220 of 2013.

For Petitioner : Mr.T.Lenin Kumar

ORDER

Revision petitioner is the plaintiff in O.S.No.220 of 2013 on the file of the District Munsif Court, Palani. The suit is for declaration and permanent injunction in respect of the suit pathway.

2.The petitioner submitted that the pathway belongs to him exclusively. The assertion of the petitioner is denied by the defendant. There is no dispute regarding the identity of the suit property. There are only rival claims. Hence, there is no need to appoint an Advocate Commissioner for this purpose. The Court below, therefore, rightly dismissed I.A.No.504 of 2018.

3.Affirming the reasons given by the Court below, this Civil Revision Petition is dismissed. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-II)



To

1. The District Munsif Court,
Palani.

+ 1 CC TO MR.T.LENIN KUMAR, ADVOCATE IN SR NO. 79774

CMR

BU/DS/RP/SAR-I : 26.09.2018 : 2P/3C

C.R.P. (PD) (MD) No.1825 of 2018
and
CMP (MD) No.7993 of 2018
23.08.2018