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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.09.2018

CORAM

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

C.R.P. (MD) No. 2033 of 2018 (PD)

and

C.M.P. (MD) No. 8991 of 2018

1.N.Rajan

2.Ahamed Junaiber

... Petitioners

Vs.

1.C.Sankareswaran

2.The Thasildar,
Taluk Officer,
Bodinayakkanur,
Theni District.

3.The District Collector,
Theni.

... Respondents

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the fair and decreetal order dated 12.06.2018 made in I.A.No.92 of 2016 in O.S.No.61 of 2015 on the file of the District Munsif Court, Bodinayakkanur.

For Revision Petitioners: Mr.D.Senthil

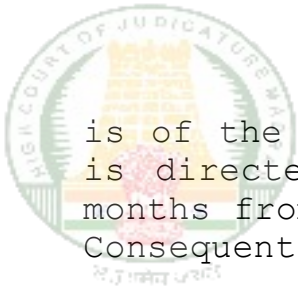
For Respondents 2 & 3 : Mr.M.Karuppasamy
Government Advocate

ORDER

The defendants 1 ad 2 in O.S.No.61 of 2015 on the file of the District Munsif Court, Bodinayakkanur, are the revision petitioners herein. They filed I.A.No.92 of 2016 for appointing an Advocate Commissioner. The same was dismissed on 12.06.2018 by the Court below. Questioning the same, this civil revision petition has been filed.

2. Heard the learned Counsel appearing for the respective parties.

3. It is seen that there is no dispute with regard to the identity of the suit property. Therefore, the Court below had rightly declined to accede to the prayer made by the revision petitioners for appointment of an Advocate Commissioner. No interference is called for and hence, the civil revision petition is dismissed, sustaining the order impugned. However, as the suit



is of the year 2015, the learned District Munsif, Bodinayakkanur, is directed to dispose of the said suit within a period of six months from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

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Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS-III)

To

1.The District Munsif,
Bodinayakkanur.

2.The Thasildar,
Taluk Officer,
Bodinayakkanur,
Theni District.

3.The District Collector,
Theni.

+ 1 CC TO SPECIAL GOVERNMENT PLEADER, IN SR NO.85653

+ 1 CC TO MR.D.SENTHIL, ADVOCATE IN SR NO.85562

GK

BU/NM/RP/SAR-III :13.11.2018 : 2P/6C

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