



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **29.10.2018**

CORAM:

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

C.R.P. (PD) (MD) No. 2117 of 2018

and

C.M.P. (MD) No. 9357 of 2018

WEB COPY

1. Ponnusamy
2. Sudalaimuthu
3. Ayyadurai

.. Revision Petitioners/Petitioners/Plaintiffs

Vs

1. Saroja
2. Chelladurai
3. Rajasekar
4. Seenivasan

... Respondents/ Respondents/Defendants

PRAYER : Petition filed under Article 227 of the Constitution of India to set aside the fair and decreetal order passed in I.A.No.129 of 2018 in O.S.No.141 of 2012 on the file of the Additional District Munsif Court, Vallioor, dated 06.08.2018.

For Petitioner : Mr.D.Venkatesh
For R1, R3 & R4 : Mr.H.Arumugam

ORDER

O.S.No.141 of 2012 on the file of Additional District Munsif, Vallioor, is a suit for declaration and permanent injunction. In the said suit, the petitioner here filed I.A.No.129 of 2018 for appointing an advocate commissioner. Challenging the same, this Civil Revision Petition has been filed.

2. Heard the learned counsel on either side.

3. As rightly pointed out by the court below, this I.A., is not the first application for appointing an advocate commissioner. Earlier, advocate commissioner was appointed and he has filed his report way back in April, 2012. Therefore, absolutely there is no justification at this point of time in taking out an application that too for scrapping of the earlier report. As rightly pointed out by the Court below, the revision petitioner wants to drag on the proceedings.

4. The order impugned in this Civil Revision Petition is sustained and this Civil Revision Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-I)

/True Copy/



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To

The Additional District Munsif,
Vallioor.

• 1 CC TO Mr.D.VENKATESH , ADVOCATE IN SR No. 92758.

+ 1 CC TO Mr.H.ARUMUGAM , ADVOCATE IN SR No.93201.

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ORDER MADE IN
C.R.P. (PD) (MD) No.2117 of 2018
and
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