

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.06.2019

CORAM

THE HONOURABLE **MR.JUSTICE C.SARAVANAN**

C.R.P.(PD).No.1163 of 2015

and

M.P.No.1 of 2015

Salem Construction Company,
Rep. by its Managing Partner,
Kannambal,
Devi Complex, 5 Road,
Salem – 636 004.

... Petitioner

Vs.

1.Salem Real Estate,
Rep. by its Managing Partner,
K. Ayyavoo,
No.A 1, R.K. Flats,
Jeevanandam Street, K.K.Nagar,
Chennai – 600 078.

J. Santhosham (died)

2.D.Premnath

3.R.Shanthi

4.K.Ayyavoo

5.S.Kripakar

6.Joseph Prabhakar

7.Jabakar

8.Gopal Subramaniam

9.A.Soundarapandian

10.K.Rajendran

11.S.Mohanan

12.V.Murugan

13.Manonmani

... Respondents

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to set aside the order dated 07.10.2014 passed in I.A.No.4665 of 2014 in O.S.No.9089 of 2010 on the file of the Vth Additional Judge, City Civil Court, Chennai.

For Petitioner : Mr.P.Jagadeesan

For R6 & R13 : Mr.P.B.Balaji

For R1 to R4 :

For R5 & R7 to R12 : No appearance

ORDER

The petitioner is the plaintiff in O.S.No.9089 of 2010. The said suit has been filed for specific performance. During the pendency of the suit, the petitioner has also filed I.A.No.4665 of 2014 for appointment an advocate commissioner for the following releif:-

(a)To inspect the B and C Schedule properties and to note down the physical features.

(b)To note down the number of residential and non residential buildings and its tenants/occupier particular

and this payment of rent details and whom it is paid details.

(c) To dates of the rental agreement executed by the various tenants.

2. The lower Court has dismissed the application. Aggrieved by the same, the present Civil Revision Petition is filed.

3. Perused the records I find no merits in the present Civil Revision Petition. The lower Court has rightly dismissed the application. Therefore, I am of the view that the present Civil Revision Petition is liable to be dismissed.

4. It is noticed that the suit is kept pending before the lower Court though no stay was granted.

5. The suit is of the year 2010. Therefore, the V Additional City Civil Court, Chennai is directed to dispose the suit within a period of six months from the date of receipt of a copy of this order.

C.SARAVANAN, J.

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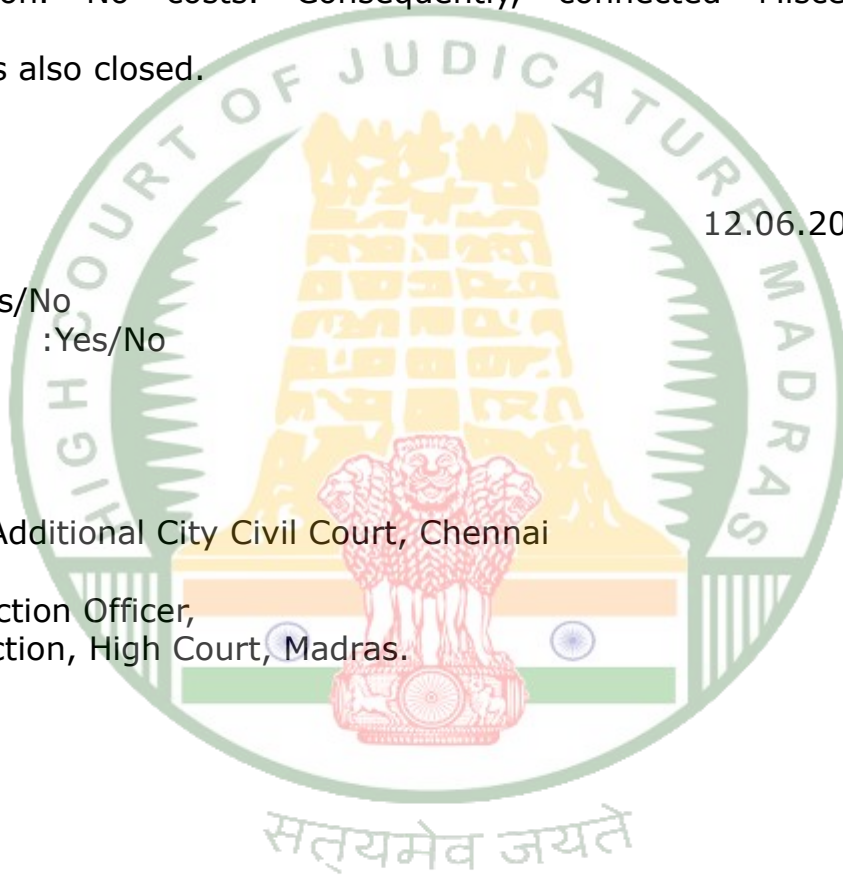
6.The Civil Revision Petition is dismissed with the above observation. No costs. Consequently, connected Miscellaneous Petition is also closed.

12.06.2019

Index : Yes/No
Internet : Yes/No
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To

- 1.The V Additional City Civil Court, Chennai
- 2.The Section Officer,
V.R.Section, High Court, Madras.



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and
M.P.No.1 of 2015