



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.08.2019

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CORAM:

THE HONOURABLE MR.JUSTICE S.S. SUNDAR

C.R.P. (PD) (MD) .No.1464 of 2011
and M.P. (MD) .No.1 of 2011

K.Vellathaiammal

.. Petitioner/Petitioner/
Plaintiff

Vs.

R.Kanthaleela

.. Respondent/Respondent/
Defendant

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India, against the fair and decreetal order made in I.A.No.365 of 2008 in O.S.No.701 of 2005 by the District Munsif, Palani dated 24.06.2010

For Petitioner : Mr.D.Venkatesh

For Respondent : Mr.R.Udhayakumar

ORDER

This civil revision petition is directed against the order passed in interlocutory application in I.A.No.369 of 2008 in O.S.No.701 of 2005 on the file the learned District Munsif, Palani, to scrap the Advocate Commissioner's report and to appoint another Advocate Commissioner to get a fresh report.

2.The revision petitioner is the plaintiff in the suit. The learned counsel appearing for the petitioner states that the suit itself was dismissed for default on 02.07.2016. Though he has no instructions with regard to any application being pending to restore the suit, the counsel submit that revision petition may be dismissed as infructuous with liberty to seek review of this order in case the suit is restored.

3.Accordingly, this civil revision petition is dismissed as infructuous. However, in case, the suit is restored, it is open to



the petitioner to seek review of this order. No costs.
Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

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// True Copy //

Sub Assistant Registrar(CS)

To

The District Munsif, Palani.

Copy to:

1. The Section Officer, (2 Copies)
V.R.Section,
Madurai Bench of Madras High Court,
Madurai.
2. The Section Officer,
E.R.Section,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.D.VENKATESH, Advocate (SR-82107[F] dated 19/08/2019)

C.R.P. (PD) (MD) .No.1464 of 2011
14.08.2019

TM

JMN(30.08.2019) 2P : 6C