



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:19.11.2019

CORAM:

WEB COPY

THE HONOURABLE **MR.JUSTICE N.ANAND VENKATESH**

CRP. (MD) .No.1971 of 2012 (PD)

and

M.P. (MD) .No.1 of 2012

1.N.Raju

2.Tamil Selvi

...Petitioners / Petitioners /
Plaintiffs

Vs.

1.Jayaram

2.Parasakthi

3.Parimala @ Naranammal

...Respondents / Respondents / Defendants

PRAYER: This Petition filed under Article 227 of the Constitution of India to set aside the fair and decreetal order dated 18.10.2011, passed in I.A.No.753 of 2010 in O.S.No.149 of 2007, by the District Munsif Court, Aruppukottai.

For Petitioners : Mr.V.Perumal

For Respondents : Mr.S.Parthasarathy

O R D E R

This Civil Revision Petition has been filed challenging the fair and final order passed by the Court below dismissing the application filed by the petitioners / plaintiffs to appoint an Advocate Commissioner to note down the physical features of the suit property.

2. The case was at the stage of trial and the parties were already examined and the evidence was over on the side of the petitioners. At that stage, the present petition came to filed for appointment of an Advocate Commissioner.

3. Heard the learned counsel appearing for the petitioners and the learned counsel appearing on behalf of the respondents.

4. The Court below has dismissed the application on the ground that there was no dispute with regard to the location of the suit property and also the extent of the suit property and the application itself has been filed only for collecting evidence. The Court below also found that the petition has been filed very



belatedly after the evidence on the side of the petitioners was completed.

5. This Court does not find any illegality or infirmity in the order passed by the Court below and there are no grounds to interfere with the same.

6. In the result, the Civil Revision Petition is dismissed and the Court below is directed to complete the proceedings in O.S.No.149 of 2007, within a period of two months from the date of receipt of copy of this order. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar(CS)

To

1.The District Munsif, Aruppukottai.

2.The Record Keeper,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.S. PARTHASARATHY, Advocate (SR-99631[F] 20/11/2019)

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tsg

SDS (11.12.2019) 2P 4C