



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.12.2019

CORAM:

THE HONOURABLE **MRS. JUSTICE R. THARANI**

C.R.P (MD)No.1488 of 2019

and

C.M.P. (MD)No.7874 of 2019

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R.Jeyaram Dass

... Petitioner / Petitioner / Petitioner /
Plaintiff

Vs.

1.M.Vijaya

2.R.Mariyappan

... Respondents / Respondents /
Respondents / Defendants

Prayer: Civil Revision Petition filed under Section 115 of the Code of Civil Procedure, against the order dated 15.11.2017 passed in E.A.No. 5 of 2017 in E.P.No.359 of 2007 in O.S.No.764 of 1999 on the file of II Additional Sub Judge, Madurai.

For Petitioner : Mr.D.Saravanan

For Respondents : Mr.S.Mohammed Yusuf

ORDER

This Civil Revision Petition is filed against the order dated 15.11.2017 passed in E.A.No. 5 of 2017 in E.P.No.359 of 2007 in O.S.No.764 of 1999 on the file of II Additional Sub Judge, Madurai.

2. Heard both sides.

3. After elaborate arguments, the learned counsel for the petitioner represents that the Surveyor can measure the properties in accordance with the petitioner's side documents. The respondent side counsel agreed for engaging the Surveyor and both of them agreed for fixing a time limit for inspection of the property.

4. In the above circumstances, nothing survives for adjudication. It is seen that the petitioner is a purchaser from the respondent and the case is pending for delivery of the property. It is necessary that a Surveyor has to be engaged to fix the boundaries in accordance with the documents filed on the side of the petitioner. The trial Court is directed to dispose of E.A.No.5 of 2017, within a period of two months from the date of receipt of a copy of this order. Both the parties are directed to cooperate the Surveyor for taking measurements.



5. With the above observation, this Civil Revision Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

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Sd/-

Assistant Registrar (RECORDS)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

Ls

To

1.The II Additional Sub Judge,
Madurai.

2.The Section Officer,-2 copies
VR Section,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.D.SARAVANAN, Advocate (SR-105395[F] dated
17/12/2019)

+5 CC to Mr.MOHAMED YUSUF, Advocate (SR-105608[F] dated
18/12/2019)

C.R.P (MD) No.1488 of 2019

16.12.2019

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