

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

CRP.No.411 of 2018

O R D E R:

This Revision is filed challenging the order dt.13.12.2017 in I.A.No.216 of 2016 in O.S.No.115 of 2016 of the Principal Junior Civil Judge, Husnabad.

2. In the said order, the Court below appointed an Advocate-Commissioner at the instance of the respondent for the purpose of local investigation to note down the physical features of the suit schedule property and, in particular, keeping in mind the plea of the respondent that there was a saw-mill erected by him in the suit schedule property.

3. It is not in dispute that subsequently application seeking amendment of the plaint was filed by the petitioner asserting that he had established a saw-mill in the suit schedule property, and though the trial Court had dismissed it in I.A.No.88 of 2016, CRP.No.2130 of 2018 filed against the said order was allowed today by separate order.

4. Since there is no dispute as to the existence of the saw-mill with compound wall, iron gate, etc., in the suit schedule property, no useful purpose would be served by appointing an Advocate-Commissioner to note down the physical features of the suit schedule property.

5. Therefore, this Civil Revision Petition is allowed; the order dt.13.12.2017 in I.A.No.216 of 2016 in O.S.No.115 of 2016 is set aside; and the said I.A., is dismissed. No order as to costs.

6. Consequently, miscellaneous petitions pending if any, shall stand closed.

M.S. RAMACHANDRA RAO, J

12th April, 2019.

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