



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.02.2020

CORAM:

THE HONOURABLE MR.JUSTICE **T.RAJA**

CRP (NPD) (MD) No.1456 of 2012

and

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

Kandasamy ... Petitioner / Plaintiff /
Appellant
versus

1. Muniasamy
2. Panchavarnam
3. Sundaravalli
4. Angupillai Ammal ... Respondents/Defendants/
Respondents

Civil Revision Petition filed under Article 227 of the Constitution of India, against the order dated 20.08.2011 made in I.A.No.201 of 2011 in A.S.No.60 of 2010 on the file of the learned Subordinate Judge, Paramakudi.

For Petitioner : Mr.Baskaran

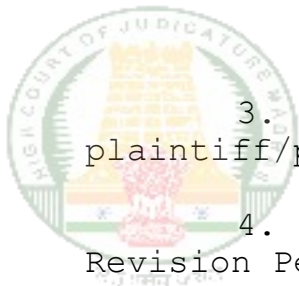
For R2 and R3 : Mrs.K.R.Shivashankari

For R1 and R4 : Dismissed vide order dated 04.09.2017

ORDER

This Civil Revision Petition has been directed against the impugned order dated 20.08.2011 passed in I.A.No.201 of 2011 in A.S.No.60 of 2010, on the file of the learned Subordinate Judge, Paramakudi, wherein, the request of the petitioner for appointment of an Advocate Commissioner to inspect the suit property on four sites, with the help of FMB and Village Administrative Officer and Taluk Surveyor and to file a report, was rejected.

2. Today, when the matter is taken up for hearing, the learned counsel appearing for the defendants 2 and 3/respondents 2 and 3 submitted that the appeal in A.S.No.60 of 2010 itself was dismissed for default, by the Sub Court, Paramakudi, on 17.04.2018. Therefore, nothing survives in the Civil Revision Petition.



3. But, the learned counsel appearing for the plaintiff/petitioner sought time to verify the same.

4. Insofar as respondents 1 and 4 are concerned, the Civil Revision Petition stood dismissed vide order dated 04.09.2017.

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5. This Court, accepting the statement made by the learned counsel for the respondents 2 and 3, is not inclined to keep the matter pending, as the appeal in A.S.No.60 of 2010 itself was dismissed for default by the Sub Court, Paramakudi, on 17.04.2018.

6. In view of the above, the Civil Revision Petition is dismissed as infructuous. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CO)

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/ /2020

Sub Assistant Registrar(CS)

To

The learned Subordinate Judge,
Paramakudi.

+1 CC to M/s.S.SRINIVASARAGAVAN, Advocate (SR-6622[F] dated 17/02/2020)

+1 CC to M/s.K.MAHENDRAN, Advocate (SR-6870[F] dated 18/02/2020)

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SDS (27.02.2020) 2P-4C