

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.06.2021

CORAM

THE HON'BLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

CRP.PD.No.2813 of 2018 and
CMP.No.16448 of 2018

Govindarajan

..Petitioner

Vs.

1.Mariappan
2.Pachiyappan
3.Raja

..Respondents

PRAYER:

The Civil Revision Petition is filed under Article 227 of the Constitution of India to set aside the order passed in IA.No.832 of 2017 in OS.No.167 of 2016 on the file of District Munsif, Palacode, Dharmapuri District dated 05.01.2018.

For Petitioner : No appearance

For Respondents : Mr.P.M.Jayachandran

ORDER

This Civil Revision Petition is filed against the order passed in IA.No.832 of 2017 in OS.No.167 of 2016 on the file of District Munsif, Palacode, Dharmapuri District dated 05.01.2018, thereby dismissing the petition seeking appointment of advocate commissioner.

2. The petitioner is the plaintiff and the respondents are the defendants. The petitioner filed suit for declaration and recovery of possession. While pending suit, the petitioner filed petition for seeking appointment of advocate commissioner to note down the extent of the encroached portion by the respondents. The court below dismissed the petition for the reason that already in the suit filed by the respondents 2 & 3 in OS.Nos.63 & 64 of 2014 on the file of the District Munsif Court, Palacode, advocate commissioner was appointed and filed his report. Therefore, the court below rightly dismissed the petition. As such this Court finds no infirmity or illegality in the order passed by the court below.

3. Accordingly, this civil revision petition is dismissed. Consequently, connected miscellaneous petition is closed. No order as to costs.

29.06.2021

Speaking/Non-speaking order
Index : Yes/No
Internet : Yes/No
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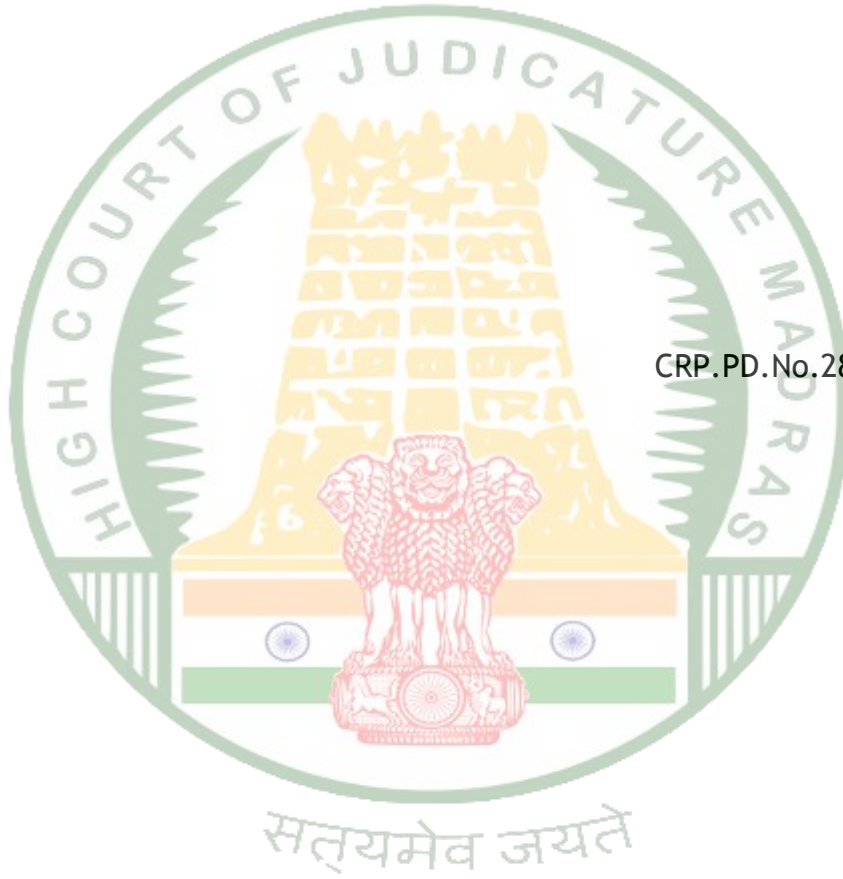
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G.K.ILANTHIRAIYAN,J.

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To

The District Munsif, Palacode,
Dharmapuri District



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