

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.06.2021

CORAM

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

CRP.PD.No.777 of 2018 and
CMP.No.4261 of 2018

1.S.Nandakumar
2.S.Sampathkumar

..Petitioners

Vs.

1.Geetha
2.M.Senthilkumar
3.K.G.Senthikumar
4.Love-in-Auction Society
Rep. by its President,
Nalanjira, Trivandram,
Kerala State

..Respondents

PRAYER:

The Civil Revision Petition is filed under Article 227 of the Constitution of India to set aside the fair and decretal order in IA.No.666 of 2017 in OS.No.198 of 2016 passed by the learned District Munsif, Sathyamangalam dated 04.11.2017 and allow the civil revision petition.

For Petitioners : Mr.S.Parthasarathy

For Respondents

For R1 & 2 : Mr.N.Manokaran

For R3 : Mr.K.G.Senthilkumar

ORDER

This Civil Revision Petition is filed against the fair and decretal order passed in IA.No.666 of 2017 in OS.No.198 of 2016 passed by the learned District Munsif, Sathyamangalam dated 04.11.2017, thereby appointed advocate commissioner to inspect the suit property.

2. The petitioners are the plaintiffs and the respondents 1 and 2 are the defendants 1 and 2. The petitioners filed suit for declaration restraining the respondents 1 and 2 from disturbing the petitioners to use the cart track to reach their first item of the suit schedule property. While pending the suit, the respondents 1 and 2 filed petition for appointment of advocate commissioner to inspect the suit property to verify whether the said cart track is available or not. The same was allowed and aggrieved by the same, the present civil revision petition has been filed.

3. The learned counsel for the respondents 1 and 2 submitted that after appointment of advocate commissioner, he inspected the suit property on 17.12.2017 and also he filed his report before the trial court on 28.01.2018.

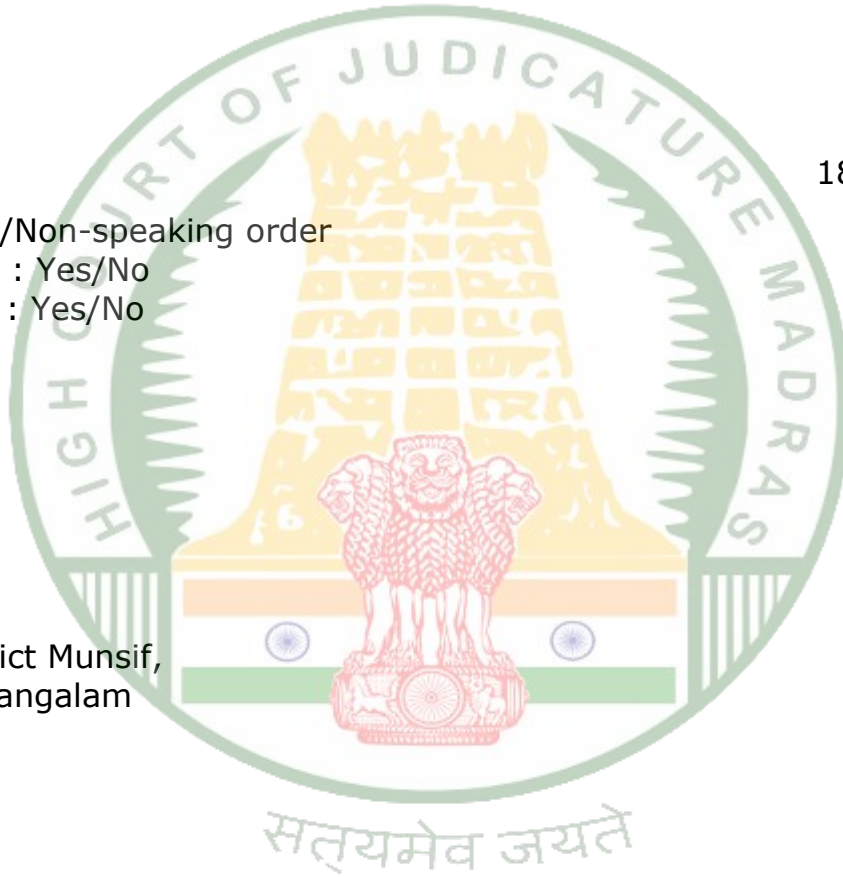
4. Recording the submissions of the learned counsel for the respondents, this civil revision petition is dismissed as infructuous. However, the petitioners are at liberty to file their objection to the advocate commissioner's report before the trial court. Consequently, connected miscellaneous petition is closed. No order as to costs.

18.06.2021

Speaking/Non-speaking order
Index : Yes/No
Internet : Yes/No
lok

To

The District Munsif,
Sathyamangalam



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G.K.ILANTHIRAIYAN,J.

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