



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.12.2021

CORAM:

THE HONOURABLE MRS.JUSTICE S.KANNAMMAL

C.R.P.(PD).No.2292 of 2017

and

C.M.P.No.10787 of 2017

[Video Conferencing]

Tulasimaniammal (Died)

1.S.Vijayakumar
2.S.Vijayalakshmi
3.S.Mohan Kumar
4.S.Udhayakumar
5.S.Sundaramurthy
6.S.Saraswathi
7.S.Paranthaman

... Petitioners

vs.

Suresh Chetty

... Respondent

Prayer:- This Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the Fair and Final order passed in I.A.No.2032 of 2016 in O.S.No.224 of 2003 dated 03.01.2017 on the file of the District Munsif Court, Ambattur.

For Petitioners : Mr.R.Santhanam

For Respondent : Mr.G.Prakash

O R D E R

This Civil Revision Petition has been filed by the petitioners against the dismissal order passed in I.A.No.2032 of 2016 in O.S.No.224 of 2003 dated 03.01.2017 on the file of the District Munsif, Ambattur.

2.The facts of the case, in a nutshell, are that the petitioners herein are the plaintiffs and the respondent herein is the defendant in the suit in O.S.No.224 of 2003. The suit was filed for declaration and delivery of vacant possession of "B"



Schedule property and also for permanent injunction. The petitioners herein have filed the above application in I.A.No.2032 of 2016 seeking permission to permit the petitioners to amend the plaint. The above amendment is with regard to the extent of the suit property. Since the said application was dismissed by the impugned order, dated 03.01.2017, this Civil Revision Petition has been filed by the plaintiffs.

3.Heard the learned counsel for the petitioners and the respondent and perused the materials placed on record.

4.Considering the submissions made by the learned counsel for the parties, the petitioners herein are given liberty to file a fresh application for appointment of Advocate Commissioner to inspect the suit property and measure the same with the aid of the Taluk Surveyor. The Trial Court is directed to dispose of the case on merits as expeditiously as possible after giving opportunity to the parties.

5.With the above direction, this Civil Revision Petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

ssi

To:

1. The District Munsif,
Ambattur.
2. The Section Officer,
V.R. Section,
High Court of Madras.

+1cc to Mr.R.Santhanam, Advocate, S.R.No.63060

+1cc to Mr.G.Prakash, Advocate, S.R.No.63403

C.R.P. (PD) .No.2292 of 2017

NRL(CO)
SU(14/12/2021)