



W.M.P.No.6417 of 2022
in W.P.No.11370 of 2020

N.ANAND VENKATESH, J.

This petition has been filed by the third respondent seeking for a clarification of the order passed by this Court in the Writ Petition on 08.09.2021.

2. It is stated in the affidavit filed in support of the petition that the learned Advocate Receiver filed a memo before the Trial Court requesting to issue specific directions defining his duties and responsibilities as a Receiver. The Trial Court seems to have some constrains in passing orders and issuing necessary directions to the learned Advocate Receiver on the ground that the Receiver was appointed pursuant to the orders passed by this Court in the Writ Petition. In view of the same, the present clarification petition has been filed before this Court.

3. Heard, Mr.M.Rajasekhar, learned counsel for the petitioner and Mr.P.Dinesh Kumar, learned counsel for the first respondent and Mr.V.P.Chamuraj, learned counsel for Ms.V.Usha, learned Additional Government Pleader (Pondicherry) for respondents 2 & 3 and Mr.V.Manohar, learned counsel for the fourth respondent.

⁴ In the considered view of this Court, this Court had given reasons as
<https://www.mhc.tn.gov.in/judis>



to why an Advocate Receiver has to be appointed till the suit is finally disposed on merits. The object behind the appointment of Advocate Receiver is clearly spelt out in the order. The duties and responsibilities of the Advocate Receiver and how he is expected to function to carry out the purpose behind his appointment, has to be necessarily fixed only by the Trial Court. This Court cannot micro manage the proceedings of the Trial Court in this regard.

5. In view of the above, it is left open to the Trial Court to fix the duties and responsibilities of the Advocate Receiver and clarify as and when any clarity is sought for by the Advocate Receiver. Ultimately, the Trial Court has to keep in mind the object behind the appointment of the Advocate Receiver during the pendency of the suit and pass orders accordingly.

6. This clarification petition is disposed of accordingly.

20.04.2022

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