



C.R.P.No.2572 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.12.2022

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

C.R.P.No.2572 of 2019
and
CMP No.16930 of 2019

Latha Petitioner

Vs

1. B.Ramesh

2. The Managing Director,
Tamil Nadu Slum Clearance Board,
Kamarajar Salai,
Chennai – 600 005.

3. The Commissioner,
Corporation of Chennai,
Chennai – 600 003.
Respondents

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Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the fair and decreetal order dated 20.06.2019 in I.A.No.1 of 2019 in O.S.No.5402 of 2016 on the file of the XV Assistant City Civil Court, Chennai.

For Petitioner : No appearance



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ORDER

This Civil Revision Petition has been filed to set aside the fair and decreetal order dated 20.06.2019 in I.A.No.1 of 2019 in O.S.No.5402 of 2016 on the file of the XV Assistant City Civil Court, Chennai, thereby dismissing the application seeking appointment of Advocate Commissioner.

2. The petitioner is the plaintiff and the respondents are defendants. The petitioner filed a suit for permanent injunction. Pending suit, the petitioner filed an application seeking appointment of Advocate Commissioner to inspect the suit property and note down the physical features of the same. In the suit for injunction, the petitioner ought to have proved her case by production of evidence. The appointment of Advocate Commissioner in the suit for permanent injunction is nothing but collection of evidence. Therefore, the Court below rightly dismissed the application.

3. In view of the above, this Court finds no infirmity or illegality in the order dated 20.06.2019 in I.A.No.1 of 2019 in O.S.No.5402 of 2016 on the file of the XV Assistant City Civil Court, Chennai. Accordingly, this



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Civil Revision Petition stands dismissed. Consequently, connected miscellaneous petition is closed. No costs.

23.12.2022

Index:Yes/No

Internet:Yes/No

Speaking Order: Yes/No

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To

The XV Assistant Judge,
City Civil Court, Chennai.



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G.K.ILANTHIRAIYAN.J,

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