



WEB COPY



A. No.4728 of 2021 in
C.S.No.248 of 2021

A.No.4728 of 2021 in
C.S.No.248 of 2021

P.VELMURUGAN, J.

This application has been filed seeking for appointment of Advocate Commissioner to inspect and note down the damages caused to the suit schedule A premises and submit and estimated cost for repairing the premises to restore the same to a tenantable condition, and also to submit the cost of replacement of furniture and fittings, DG set, etc., mentioned in the suit schedule B, by taking the assistance of the qualified Engineer/Valuer, within a reasonable time.

2 Learned counsel appearing for the first respondent/1st defendant would submit that the Bank has handed over the property even in the year 2020 itself, but, the plaintiff has not chosen either to take over the properties or to inspect the same, now in the year 2021 he has filed the suit along with this application seeking to appoint an Advocate Commissioner to note down the physical features of the properties. The Advocate commissioner, cannot now asses the features of the properties, which were handed over as early as in the year 2020 and his report may not helpful to this Court to come any conclusion.

3 This Court is satisfied with the reasons stated in the affidavit filed in support of this application and not prejudice would be caused to both the parties, if the Advocate Commissioner is appointed.



A. No.4728 of 2021 in
C.S.No.248 of 2021

WEB COPY

4 Accordingly **Mr.A.Kothandaraman, Advocate (Enrollment Ms.No.434/1981)** is appointed as learned Advocate Commissioner, 23, Law Chambers, High Court, Chennai-104. (Mobile No.9444344410).

5 The learned Advocate Commissioner appointed by this Court is directed to examine the suit schedule A properties with qualified Engineer/Valuer in the presence of both the parties after giving due notice to them and note down the physical features and the Commissioner shall also take photographs and videographs and submit a report along with the CD on the next hearing date i.e., 28.03.2022.

6 The applicant / plaintiff shall pay an initial remuneration of Rs.1,00,000/- (Rupees One lakh only) to the learned Advocate Commissioner.

7 Registry is directed to issue the Advocate Commissioner's warrant to the learned Advocate Commissioner on **14.02.2022**

09.02.2022

Note : Issue order copy on 14.02.2022.

cgi



WEB COPY



A. No.4728 of 2021 in
C.S.No.248 of 2021

P.VELMURUGAN, J.

cgi

A.No.4728 of 2021 in
C.S.No.248 of 2021

09.02.2022