



C.M.P.No.19090 of 2022

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in S.A.No.371 of 2001

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KRISHNAN RAMASAMY, J.,

This petition has been filed, seeking to appoint an Advocate Commissioner for the purpose of measuring the property as per the boundaries mentioned in the documents produced by both parties (i.e., Ex.B2, A7 and A1) with the help of the Taluk Surveyor and file a report along with sketch before this Court.

2. According to the petitioner, on earlier occasion, i.e., on 15.09.2022, during the course of arguments, this Court on perusal of the Advocate Commissioner's report already filed, has opined that there was at an ambiguity in regard to the measurements of the property as well as identifying the boundaries and directed the petitioner to move a petition to appoint an Advocate Commissioner in order to clear the discrepancies found out in the earlier report. Pursuant to the same, the learned counsel for the petitioner would submit that the petitioner has filed the present petition and he would urge this Court to appoint an Advocate Commissioner.



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3. There is no representation on behalf of the respondent.

M/s.P.T.Ramadevi, who has been appointed as *Amicus Curiae* to assist the Court on behalf of the 1st respondent is present and reported no objection for appointment of the Advocate Commissioner.

4. Considering the facts and circumstances and the submissions made by the learned counsel for the petitioner, this Court feels it appropriate to appoint the Advocate Commissioner in order to measure the suit property as per the boundaries mentioned in the documents produced by the parties viz., Ex.B2, A7 and A1 with the help of the Taluk Surveyor.

5. Accordingly, M/s.V.Shri Varshini, Advocate (Enrolment No.7758/21), Mobile No.8790169991, No.274/4, Sangam Apartments, Z-Block, Anna Nagar West, Chennai-40, is hereby appointed as Advocate Commissioner and she is directed to measure the property as per the boundaries mentioned in the document produced by both parties, viz., Exs.B2, A1 and A7 with the help of Taluk Surveyor and file a report along with sketch before this Court on or before 03.01.2023. This Court directs the Taluk Surveyor to assist the Advocate Commissioner in



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measuring the property as directed by this Court and enable him to complete the work within the time frame fixed by this Court. This Court fixed the initial remuneration a sum of Rs.30,000/- along with other transportation costs also, payable by the petitioner, in advance.

6. List the matter for filing report on 03.01.2023.

08.11.2022

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Note: Issue Order Copy on 22.11.2022.

Issue Advocate Commissioner amount on 23.11.2022.



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