



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :16.02.2022

CORAM:

THE HONOURABLE MRS. JUSTICE S.ANANTHI

C.R.P. (MD) .No.261 of 2022

and

C.M.P (MD) No.1213 of 2022

Rahumath Nismiya

... Revision Petitioner/Plaintiff

Vs.

Ganesan

... Respondent/Defendant

PRAYER : This Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the order passed in I.A.No.385 of 2021 in O.S.No.127 of 2016, dated 23.10.2021 on the file of the District Munsiff Court, Ramanathapuram, Ramanathapuram District.

For Petitioner : Mr.S.A.Ajmal Khan

O R D E R

This Civil Revision Petition has been filed to set aside the order passed in I.A.No.385 of 2021 in O.S.No.127 of 2016, dated 23.10.2021 on the file of the District Munsiff Court, Ramanathapuram, Ramanathapuram District.

2.The said I.A.No.385 of 2021 was filed by the petitioner/plaintiff for appointment of Commissioner to determine the possession of the petitioner's schedule property, which was dismissed by the learned District Munsiff, Ramanathapuram District on the ground that the Commissioner cannot be appointed to determine the possession of the suit property, only the petitioner/plaintiff has to prove his case by producing documents.

3.Therefore, the learned District Munsiff, Ramanathapuram, has rightly dismissed the I.A.No.385 of 2021 in O.S.No.127 of 2016. This Court has no valid reason to interfere with the order of the Court below.



4. In view of the above, the Civil Revision Petition stands dismissed by confirming the order, dated 23.10.2021 in I.A. No.385 of 2021 in O.S.No.127 of 2016 passed by the learned District Munsiff, Ramanathapuram, Ramanthapuram District. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

vsd

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

The District Munsiff,
Ramanathapuram,
Ramanthapuram District.

C.R.P. (MD) .No.261 of 2022
and
C.M.P (MD) No.1213 of 2022
16.02.2022

RK(10/03/2022) 2P 2C