



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.04.2022

CORAM

THE HONOURABLE MRS.JUSTICE S. ANANTHI

CRP(MD).Nos. 1916 of 2021 and

CMP(MD).No.10322 of 2021

WEB COPY

- 1.Subbaraman Ambalam
- 2.Muthu Ambalam
- 3.Ramasamy Ambalam
- 4.Muthusamy Ambalam
- 5.Ramanathan

.. Petitioners/Petitioners/
Defendants 4 to 8

(petitioners for themselves as
representatives of Kottaiyur Karai Vallambar
Natar Estate)

Vs.

- 1.Veerappan
- 2.Arumugam
- 3.Muthu
- 4.Karuppaiah
- 5.Subbiah
- Alagappan S/o.Subbiah(Died)

(petitioners / plaintiffs for themselves
and as representatives of Kottaiyur Nattars)

6.Kottaiyur Nattars through their
Estate Receiver S.Chelladurai

7. State of Tamil Nadu
rep. by the District Collector,
Sivagangai District.

8.The Tahsildar,
Karaikudi.

.. Respondents 1 to 5/
Respondents 1 to 5/
Plaintiffs

Prayer: This Civil Revision Petition is filed under Article 227 of the Constitution of India against the fair and decreetal order dated 23.10.2021 made in I.A.No.15 of 2021 in O.S.No.207 of 2008 on the file of the Additional District Munsif, Karaikudi.

For Petitioner	: Mr. R. Sundar Srinivasan
For R1 to R3	: Mr. N. Sunderasn
For R7 to R8	: Mr. A. Kannan
	Additional Government Pleader
For R4 to R6	: No appearance



ORDER

The revision petitioners / defendants 4 to 8 have filed this revision to set aside the order, dated 23.10.2021 made in I.A.No.15 of 2021 in O.S.No.207 of 2008 on the file of the Additional District Munsif, Karaikudi.

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2.. Heard the learned counsel appearing on either side and perused the materials available on record.

3. The said Interlocutory Application in I.A.No.15 of 2021 filed by the revision petitioners / defendants 4 to 8 to appoint an Advocate Commissioner to examine the revision petitioners / defendants through the Advocate Commissioner. The reason for appointing the Commissioner is that the 4th defendant is aged about 81 years and also he is having health issues and unable to attend the Court and hence, the Advocate Commissioner can be appointed. Except the fourth defendant, other four defendants are there and two of the defendants are aged about 70 years. So, they know the facts of case fully and hence, the trial Court has rightly dismissed the application. Therefore, this court has not find any valid reason to interfere with the order passed by the Court below.

4. Accordingly, this Civil Revision Petition is dismissed by confirming the order, dated 23.10.2021 made in I.A.No.15 of 2021 in O.S.No.207 of 2008 on the file of the Additional District Munsif, Karaikudi. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

trp

To

The Additional District Munsif, Karaikudi.

+1 CC to M/s.R. SUNDAR SRINIVASAN, Advocate (SR-19099[F] dated 18/04/2022)

+1 CC to M/s.N. SUNDARESAN, Advocate (SR-19217[F] dated 19/04/2022)

+1 CC to M/s.SPL.GP. (SR-19406[F] dated 19/04/2022)

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RK(29/04/2022) 2P 5C

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