



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.04.2022

CORAM

WEB COPY

THE HONOURABLE MRS.JUSTICE S. ANANTHI

CRP(MD).No. 2362 of 2019 and
CMP(MD).No.12487 of 2019

M.Jeyapandi

.. Petitioner

Vs.

1.T.Patturaja

2.C.Antony

.. Respondents

Prayer: This Civil Revision Petition is filed under Article 227 of the Constitution of India against the fair and decreetal order, dated 18.10.2019 made in I.A.No.5 of 2019 in O.S.No.35 of 2019 on the file of the District Munsif, Srivaikundam.

For Petitioner	:	Mr.K.P.Narayanakumar
For respondents for R1	:	Mr. K. Veilmuthu
For R2	:	No Appearance

ORDER

The revision petitioner / 1st defendant filed this revision to set aside the order, dated 18.10.2019 made in I.A.No.5 of 2019 in O.S.No.35 of 2019 on the file of the District Munsif, Srivaikundam.

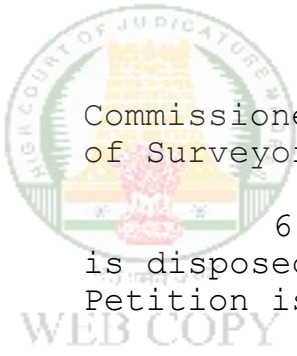
2. Heard the learned counsel appearing for both sides and perused the materials available on record.

3. The said Interlocutory Application in I.A.No.5 of 2019 filed by the first respondent / plaintiff for appointment of Advocate Commissioner, which was allowed by the trial Court. The revision petitioner has stated that already in the suit in O.S.No.14 of 2019, the Commissioner was appointed to inspect the property. The properties in O.S.No.14 of 2019 and O.S.No.35 of 2019 are the same properties and nearby properties. So, the same Commissioner should be appointed to inspect the property to avoid the discrepancies.

4. The counsel for the 1st respondent has also accepted for re-issue of warrant for the same Commissioner.

5. So, the trial Court is directed to re-issue the warrant to the same Commissioner appointed in O.S.No.14 of 2009 and the

<https://hcservices.ecourts.gov.in/hcservices/>



Commissioner is also directed to inspect the property with the help of Surveyor.

6. With the above observation, the Civil Revision Petition is disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

trp

To

The District Munsif, Srivaikundam.

+1 CC to M/s.K. VEILMUTHU, Advocate (SR-16942[F] dated 06/04/2022)

+1 CC to M/s.K.P. NARAYANAKUMAR, Advocate (SR-17281[F] dated 07/04/2022)

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MGJ(18.04.2022) 2P 4C