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C.R.P.No.2775 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.01.2023

CORAM

THE HON'BLE Mr. JUSTICE **G.K.ILANTHIRAIYAN**

C.R.P.No.2775 of 2019

and

C.M.P.No.18195 of 2019

Natarajan

.....

Petitioner

Vs

1. Anjammal
2. Murugesan
3. Sivakumar
4. Raghu
5. Nagarajan

.....

Respondents

Prayer :- Civil Revision Petition is filed under Article 227 of Constitution of India to set aside the fair and decreetal order dated 04.07.2019 made in I.A.No.49 of 2019 in O.S.No.145 of 2017 on the file of the Principal Subordinate Court, Vridhachalam, Cuddalore District.

For Petitioner : Mr.S.Senthilnathan

For Respondents : M/s.A.L.Gandhimathi

ORDER

This Civil Revision Petition has been filed to set aside the fair and decreetal order dated 04.07.2019 made in I.A.No.49 of 2019 in O.S.No.145 of 2017 on the file of the Principal Subordinate Court, Vridhachalam, Cuddalore District, thereby appointing an advocate



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commissioner to inspect the suit property and to note down the physical features.

2. The revision petitioner is the plaintiff and the respondents are the defendants. The petitioner filed a suit for declaration and recovery of possession in respect of the suit property. Pending suit, the petitioner filed an application in I.A.No.238 of 2017 seeking appointment of Advocate Commissioner to inspect the suit property. In view of the objections raised by the respondents herein, the petitioner has not pressed the said application. Thereafter, the respondents filed an application in I.A.No.49 of 2019 seeking appointment of Advocate Commissioner. It was allowed. Hence, this revision.

3. The learned counsel for the respondents would submit that the Advocate Commissioner was also appointed and to note down the suit property. In fact, he also filed a report before the Trial Court and it is pending.

4. In view of the submission made by the learned counsel for the respondents, nothing survives in this Civil Revision Petition.



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Accordingly, this Civil Revision Petition stands dismissed. However, the petitioner is at liberty to raise objections as against the Advocate Commissioner's report before the Trial Court. Consequently, connected miscellaneous petition is closed. No costs.

04.01.2023

Index:Yes/No
Internet:Yes/No
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To

The Principal Subordinate Court,
Vridhachalam,
Cuddalore District.

G.K.ILANTHIRAIYAN, J.

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