



WEB COPY



C.R.P(PD)No.4279 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.11.2023

CORAM :
THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

Civil Revision Petition (PD) No.4279 of 2019
and C.M.P.No.27924 of 2019

1.Subramanian

2.Pandurangan

...

Petitioners

Vs.

Ramasamy

...

Respondent

Civil Revision Petition filed under Article 227 of the Constitution of India praying to set aside the order and decretal order in I.A.No.73 of 2018 in O.S.No.213 of 2013 on the file of Additional District Munsif Court, Ulundurpet and dated 06.07.2019.

For Petitioners : R.Poornima

For Respondent : No Apperance

ORDER

Learned counsel for the petitioners is present and no representation for the respondent, despite the notice sent by this Court and the same was served



C.R.P(PD)No.4279 of 2019

vide Registry endorsement dated 16.10.2023.

WEB COPY

2. Learned counsel for the petitioners submitted that the present Civil Revision Petition has been filed challenging the order or decretal order passed by the Additional District Munsif Court in I.A.No.73 of 2018 in O.S.No.200 of 2013 dated 06.07.2019, dismissing the application filed by the petitioner for appointment of Advocate Commissioner.

3. Learned counsel for the petitioners further submitted that in the order passed by the Trial Court dated 06.07.2018, it is clearly stated that the written submission made by the petitioners herein on 25.11.2013 mentioned that due to inadvertence, the Survey No.501 of 2003 has not been mentioned. Hence, the Court below has rightly dismissed the I.A.No.73 of 2018, stating that the remedy available to the petitioner is only to file the amendment petition and not to file the petition for appointment of Advocate Commissioner.

4. Learned counsel for the petitioners further submitted that this Court may direct the Lower Court to dispose of the suit as expeditiously as possible,



C.R.P(PD)No.4279 of 2019

preferably within a period of six months.

WEB COPY

5. Heard the learned counsel for the petitioners and perused the materials available on record.

6. In view of the above, this Court is inclined to accept the above submission made by the learned counsel for the petitioners and the Additional District Munsif Court, Ulundurpet is hereby directed to dispose of the suit O.S.No.213 of 2013, preferably within a period of six months from the date of receipt of a copy of this order.

7. In the result, this Civil Revision Petition is disposed of with the above observation and direction. No costs. Consequently, connected miscellaneous petition is closed.

09.11.2023

vm

Index : Yes/No

Speaking Order : Yes/No

Neutral Citation : Yes/No

Page No.3 of 5



WEB COPY



C.R.P(PD)No.4279 of 2019

J.SATHYA NARAYANA PRASAD,J.

vm

C.R.P(PD)No.4279 of 2019



WEB COPY



C.R.P(PD)No.4279 of 2019

09.11.2023