



C.R.P.No.3890 of 2023

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.10.2023

CORAM:

THE HON'BLE MRS. JUSTICE T.V.THAMILSELVI

C.R.P.No.3890 of 2023

Arulkomakan ... Petitioner

-Vs-

1. Mariappan
2. Jothikumar ... Respondents

Prayer : Civil Revision Petition is filed under Article 227 of the Constitution of India, praying to direct the Hon'ble III Addl. District Munsif Court, Coimbatore to expedite the hearing by directing the Advocate Commissioner appointed in I.A.No.3 of 2020 in O.S.No.755 of 2020 on the file of III Addl. District Munsif Court, Coimbatore, to file his final report within time stipulated by this Hon'ble Court.

For Petitioner : Ms.K.Sandhya

ORDER



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The Revision Petitioner herein is the plaintiff in the suit in O.S.No.755 of 2020 and he filed a suit against the defendants for the relief of permanent injunction and also filed an Interlocutory Application in I.A.No. 3 of 2020. In that suit, the defendants appeared and filed their written statement. On considering the written statement, necessity arose for the plaintiff to appoint an advocate commissioner. So, he filed an application in I.A.No.3 of 2020 to appoint an advocate commissioner to note down the physical features along with qualified Surveyor to measure the property. In that application, the respondents/defendants have appeared and submitted their counter statement. But the said application is pending from the year of 2020 without any progress. Therefore, he prayed to direct the trial judge to dispose the said application.

2. Since the relief claimed by the Revision Petitioner only seeking a direction for a speedy disposal, the notice to the respondents is dispensed with.

3. Records perused. On considering the fact that the said application was filed in the year of 2020, which is pending for more than two years without any progress and also the fact that the plaintiff is aged about 60



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years, this Court is inclined to direct the trial judge to dispose the said Interlocutory Application in I.A. No. 03 of 2020 on merits within a period of two weeks from the date of receipt of copy of this order. Accordingly, this Civil Revision Petition is disposed of. No costs.

30.10.2023

Index : Yes/No
Speaking Order : Yes/No
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To

III Addl. District Munsif,
Coimbatore.



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T.V.THAMILSELVI, J.

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