



A.No.6248 of 2023

in

C.S.No.40 of 2022

N.SATHISH KUMAR, J.

This application has been filed seeking for appointment of Advocate Commissioner to inspect the suit property and file a report suggesting the modes of partition, for passing final decree proceedings.

2. Admittedly, this Court has already passed preliminary decree in C.S.No.40 of 2022 vide Order dated 18.11.2022, declaring the rights of the parties. The plaintiff became entitled to an undivided share $\frac{3}{4}$ th share and the defendant to an undivided $\frac{1}{4}$ th share.

3. Counter is filed. Though various objections raised in the application, this Court is of the view that unless the Advocate Commissioner is appointed, the effect of the decree would not see its logical end. Therefore, by consent of both sides, this Court appoints, Mr.Vikram Veerasamy. B, New No.115, 1st Floor, Luz Church Road, Mylapore, Chennai – 600 004, Mobile No.95661 65700 as an advocate commissioner to inspect and file a report suggesting the modes of division. The advocate



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commissioner shall also take the aid of the qualified surveyor or engineer for measurement of the property. The remuneration to the Advocate Commissioner is fixed at Rs.50,000/- besides other expenses and the same shall be paid by the both the parties directly to the Advocate Commissioner. Similarly, the remuneration to the engineer or surveyor shall also be borne by the parties. The Advocate Commissioner before visiting the suit properties, shall issue notice to the parties concerned and after inspection, file a report on or before 12.01.2024.

4. Registry is directed to handover all the documents to the advocate commissioner in a sealed cover.

11.12.2023

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