



C.R.P(MD)No.276 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 23.03.2023

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

C.R.P(MD)No.276 of 2023 and
CMP(MD) No.1269 of 2023

1.S.Rajendran
2.Sengani
3.Karthikeyan
4.Ram Kumar

... Petitioners/Defendants

Vs.

Arul Sasi

...Respondent/Plaintiff

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to set aside the fair and decreetal order dated 06.01.2023 in I.A.No.2 of 2022 in I.A.No.771 of 2021 in O.S.No.146 of 2021, on the file of the District Munsif, Uthamapalayam by allowing this Civil Revision Petition.

For Petitioners	:Mr.J.Barathan for Mr.K.Guhan
For Respondent	:Mr.K.Muthumalai

ORDER

This Civil Revision Petition is filed as against the order passed by the learned District Munsif, Uthamapalayam in I.A.No.2 of 2022 in I.A.No.771 of 2021 in O.S.No.146 of 2021, dated 06.01.2023.



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2.The petitioner, who is the second defendant in O.S.No.146 of 2021 has challenged the impugned fair and decreetal order dated 06.01.2023 made in I.A.No.2177 of 2021 in O.S.No.146 of 2021. The petitioner is not keen on pressing for the relief in the present Civil Revision Petition. At the same time, the learned counsel for the petitioner would submit that the Civil Revision Petition may be disposed of by directing the respondent/plaintiff to furnish the copy of the sale deed, which is said to have been executed in favour of one Palanivelu, which has been mentioned in Para 7 of the plaint.

3.The submission of the learned counsel for the petitioner appears to be reasonable.

4.Considering the submission made on behalf of the petitioner, this Civil Revision Petition is disposed of with a direction to the respondents to produce the copy of the sale deed, which is said to have been executed in favour of one Palanivelu before the Advocate Commissioner. The Advocate Commissioner shall take note of the sale deed and



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measure the property and give a report to the trial Court, within a period of two months from the date of receipt of a copy of this order.

The trial Court shall thereafter endeavour to bring closure to the proceedings after trial and hearing the parties as expeditiously as possible preferably within a period of 12 months from thereon. However, it is made clear that the orders passed by the trial Court in I.A.No.2 of 2022 in I.A.No.771 of 2021 in O.S.No.146 of 2021, dated 06.01.2023 is not interfered by this Court.

5.This Civil Revision Petition stands disposed of with the above directions. No costs. Consequently, connected Miscellaneous Petition is closed.

23.03.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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- To
- 1.The District Munsif Court, Uthamapalayam
 - 2.The Section Officer
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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C.SARAVANAN,J.

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Order made in
C.R.P(MD)No.276 of 2023 and
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23.03.2023