



C.R.P(MD)No.424 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **21.02.2023**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

C.R.P(MD)No.424 of 2023

and

C.M.P(MD)No.2065 of 2023

P.Velsamy

... Petitioner Petitioner/
Plaintiff

Vs.

1.Johnson Chandrasekar

2.Sundararajan Gnanasekaran

... Respondents/Respondents/
Defendants

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to allow the Civil Revision Petition by setting aside the fair and decretal order passed in I.A.No.3 of 2022 in O.S.No.97 of 2021, on the file of I Additional District Judge, Tirunelveli dated 16.11.2022.

For Petitioner : Mr.H.Arumugam

ORDER

The present revision petition has been filed by the plaintiff in a suit for partition, challenging an order under which the request of the petitioner for appointment of Advocate Commissioner to note down the physical features of the property was dismissed.



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2. A perusal of the plaint indicates that the suit has been filed seeking partition and to set aside an alleged partition deed, dated 22.09.2004. Therefore, it is clear that the question of appointing an Advocate Commissioner for establishing these two prayers does not arise. The trial Court has rightly dismissed the said application. I do not find any merits in the revision.

3. Hence, this Civil Revision Petition stands dismissed. No costs. Consequently, connected Civil Miscellaneous Petition is closed.

21.02.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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To

1.The I Additional District Judge,
Tirunelveli.

2.The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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R.VIJAYAKUMAR ,J.

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Order made in
C.R.P(MD)No.424 of 2023

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