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A.No.2379 of 2024 in C.S.(Comm.Div.) No.45 of 2024

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P.VELMURUGAN. J.

This application is filed by the plaintiffs to appoint an Advocate Commissioner to inspect the suit property along with an Architect and/or Civil Engineer and /or private surveyor;

a) to measure the super built up area falling to the share of the plaintiffs and the defendant in the suit schedule property at the ratio of 60:40 respectively.

b) to ascertain the shortfall in super built up area if any in the suit property.

c) to ascertain the fair market value of such super built up area along with proportionate UDS value prevailing as on the date of institution of the present suit and

d) to ascertain the possession of such shortfall area and whether it is being enjoyed by the plaintiffs or defendant and submit its report before this Court.



A.No.2379 of 2024 in C.S.(Comm.Div.) No.45 of 2024

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2. No counter has been filed by the respondent.

3. Considering the facts and circumstances, **Mr.P.Balamurugan**
(Ms.No.1535/2003), Mobile No.9884446336 having office at No.11/2,
3rd Floor, Francis Joseph Street, Chennai - 600 001, is appointed as
Advocate Commissioner on the following directions:

(a) The learned Advocate Commissioner is directed
to issue notice to both the parties and fix a “date” of
his/her inspection.

(b) Both the parties are directed to extend their
fullest co-operation to the learned Advocate
Commissioner.

(c) The remuneration for the learned Advocate
Commissioner is fixed at Rs.1,00,000/- (Rupees One
Lakh only), which is to be paid by the
applicants/plaintiffs.

(d) The learned Advocate Commissioner is directed
to inspect the suit property along with an Architect and/or
Civil Engineer and /or private surveyor as the case may



WEB COPY



A.No.2379 of 2024 in C.S.(Comm.Div.) No.45 of 2024

be and after completing the inspection, file his/her report along with the report of the Surveyor/Technical person as the case may be, on or before 05th June 2024.

4. With the above directions, the application is allowed.
5. List the matter on 07th June 2024.

26.04.2024

Ksa-2



WEB COPY



A.No.2379 of 2024 in C.S.(Comm.Div.) No.45 of 2024

P.VELMURUGAN. J.

ksa-2

A.No.2379 of 2024 in
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26.04.2024

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