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C.R.P[NPD].No.5167 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.12.2024

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

CRP[NPD].No.5167 of 2024

Subramaniam

... Petitioner

Versus

1.Nayagam
2.Dhanalakshmi
3.Manjula
4.Easwari
5.Eswaran
6.Balasubramaniam
7.Namo Kathiravan
Thangamuthu (died)
8.Sundharammal
9.Saraswathy
10.Easwari
11.Lakshmi

... Respondents

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, to expedite and dispose the pending interlocutory petition in I.A.No.1 of 2020 in O.S.No.775 of 2017 pending on the file of the District Munsif, Sulur.

For Petitioner : Mr.S.Saran Prasad



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ORDER

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This Civil Revision Petition has been filed seeking for a direction to expedite and dispose of the Interlocutory Application in I.A.No.1 of 2020 in O.S.No.775 of 2017 on the file of the District Munsif, Sular.

2.Originally, the petitioner filed a suit seeking for declaration, permanent injunction and to demarcate the boundaries. The suit in respect of declaration and permanent injunction was dismissed as not pressed and suit in respect of demarcation of property was decreed on 25.04.2019. Thereafter, an Interlocutory Application has been filed by the petitioner seeking for an appointment of Advocate Commissioner to measure the suit property and demarcate the southern side east-west boundary line as per preliminary decree dated 25.04.2019. The said application was reserved for pronouncing order on 15.11.2022. However, till date no orders have been pronounced. Hence, the present petition has been filed.

3.Heard the learned counsel appearing for the petitioner and perused the materials on record.



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4.At the outset, this Court is of the view that the suit has been decreed in respect of demarcating the boundaries. At this stage, the very application for appointment of Advocate Commissioner is not necessary when the suit itself is decreed. Now, it is for the petitioner to workout his remedy by way of filing the Execution Petition to enforce the decree.

5.In view of the above, this Civil Revision Petition stands dismissed. No costs.

17.12.2024

Index: Yes/No
Internet: Yes/No
rst

To:

The District Munsif, Sulur.



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N.SATHISH KUMAR.J.,

rst

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