



C.R.P(MD)No.1964 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 02.09.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P(MD)No.1964 of 2024
and
C.M.P(MD)No.11158 of 2024

Kumar

... Petitioner /
Petitioner /
Plaintiff

Vs.

1.Malarvizhi

2.Rajalakshmi

3.Vadivelu

... Respondents /
Respondents /
Defendants

Prayer : Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order dated 20.06.2024 passed in I.A.No.197 of 2023 in O.S.No.444 of 2013 on the Additional Sub Judge, Pudukkottai by allowing this Civil Revision Petition and thus render justice.



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For Petitioner : Mr.R.Paranjothi

ORDER

The plaintiff in O.S.No.444 of 2013 on the file of Additional Sub Court, Pudukkottai is the revision petitioner herein. The suit is for declaration and permanent injunction. I.A.No.197 of 2023 has been filed for appointment of Advocate Commissioner. It was dismissed by the Court below vide order dated 20.06.2024. Questioning the same, this Civil Revision Petition has been filed.

2.The learned counsel appearing for the revision petitioner reiterated all the contentions set out in the memorandum of grounds of revision.

3.I am not swayed by the same. As rightly pointed out by the Court below, the suit is of the year 2013 and the plaintiff has chosen to file the application for appointment of Advocate Commissioner only when the matter was posted for arguments.



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4.On the very face of it, the filing of the petition is highly belated.

The Court below has given convincing reasons for dismissing the IA. In exercise of jurisdiction under Article 227 of the Constitution of India, I am not inclined to interfere.

5.This Civil Revision Petition stands dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

02.09.2024

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

To

The Additional Sub Judge,
Pudukkottai.



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G.R.SWAMINATHAN, J.

MGA

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