



C.R.P. No.306 of 2022

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE N.SENTHILKUMAR

C.R.P. No.306 of 2022 and
C.M.P. No.1502 of 2022

1.R.Manoharan

2.R.Ramakrishnan

3.Smt.Savithri

... Petitioners

Vs

1.S.Natarajan

2.Mrs.P.Dhavamani

... Respondents

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the fair and decretal order dated 22.11.2021 passed in I.A. No.1 of 2021 in O.S. No.386 of 2015 on the file of Additional District Munsif Court, Pollachi.

For Petitioner : Mr.C.Veeraraghavan

For Respondents : Mr.K.K.Sudhakar for R2



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ORDER

The present civil revision petition is filed challenging the order passed in I.A. No.1 of 2021 in O.S. No.386 of 2015 on the file of Additional District Munsif Court, Pollachi, which was filed for appointment of an Advocate Commissioner.

2. In the impugned order, the trial court has dismissed the interlocutory application for appointment of an Advocate Commissioner on the ground that the plaintiff has not earmarked 'C' schedule property and had not filed any document to establish that he has right over the same and he is the landlord of the property. It was contested by the respondents that the sale deed itself is a bogus one.

3. In the absence of any concrete material shown by the plaintiff before the trial court that the 'C' schedule property belongs to the plaintiff and even, the plan attached to the plaint did not disclose the 'C' schedule property, in the



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said circumstances, the impugned order passed by the trial court needs no interference.

4. Accordingly, the civil revision petition is dismissed. However, there is no order as to costs. Consequently, the connected civil miscellaneous petition is closed. Since the suit is of the year 2015, which is pending adjudication for the past 10 years, the learned Additional District Munsif Judge, Pollachi, is directed to dispose of the original suit, within a period of one year from today.

13.03.2025

Index : Yes / No
Neutral Citation : Yes / No
Asr

To

The Additional District Munsif Court, Pollachi



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N.SENTHILKUMAR, J.

Asr

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