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C.R.P.(PD).No.1018 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.06.2025

CORAM

THE HONOURABLE MR. JUSTICE P.B.BALAJI

Civil Revision Petition (PD) No.1018 of 2025

and

Civil Miscellaneous Petition No.5898 of 2025

1.Mr.Balu

2.Mr.Sekar

3.Mr.Ganesan

... Petitioners

..Vs..

Mrs.Valli

... Respondent

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the said order dated 13.09.2024 in I.A.No.1558 of 2021 in O.S.No.242 of 2021 passed by the learned II Additional District Munsif, Kallakurichi, Kallakurichi District.

For Petitioners : Mr.V.R.Appaswamee

For Respondent : Mr.R.Bharath Kumar



ORDER

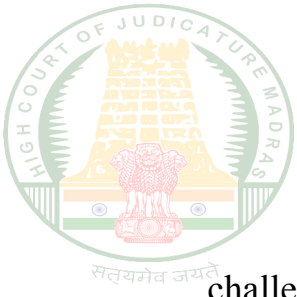
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The present Civil Revision Petition is directed against the order appointing an Advocate Commissioner at the instance of the respondent/plaintiff. The suit was filed for declaration and for permanent injunction.

2. Heard the learned counsel for the parties.

3. The learned counsel for the petitioner would state that he has no objection for appointment of Advocate Commissioner provided, the Commissioner is directed to inspect not only the suit property but also the entire property of the plaintiff and defendant.

4. The learned counsel for the respondent fairly submits that the plaintiff would have no objection for such exercise to be carried out by the Advocate Commissioner.



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5. In the light of the above, while dismissing the revision petition challenging the order of appointment of an Advocate Commissioner, the scope of the Commissioner warrant is modified, to include not only the suit property but the remaining property of the plaintiff as well as the property of the defendant. The commissioner shall take the assistance of the local Taluk Surveyor and the Report of the Taluk Surveyor shall also be enclosed along with the Commissioner's report.

6. The Civil Revision Petition is dismissed. No costs. Consequently, the connected miscellaneous petition stands closed.

16.06.2025

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Index : Yes

Internet : Yes

Neutral Citation Case: Yes/No

To:

The II Additional District Munsif,
Kallakurichi.

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P.B.BALAJI, J.

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