

A NO. 348 c



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-02-2025

CORAM

THE HONOURABLE MR JUSTICE K.KUMARESH BABU

WEB COPY

A No. 348 of 2025

in C.S.No.193 of 2023

S.Padmavathi

D/o Late S.Balaraman, B-202, Baggyam Aura Mills Apts.,
No.3/378, Rajiv Gandhi Salai (omr) Metukuppam
Oggiyamthuraipakkam, Chennai - 97

Applicant(s)

Vs

B.Venkatesan And 2 Others

S/o.Late S.Balaraman, All residing at New No.19, Ghulam Abbas
Ali Khan 9th Street, Thousand Lights, Chennai 600 006. and 2
Others

Respondent(s)

For Applicant(s):

Mr. Arun Kumar
M/s. Sampathkumaar And Associates
E.Senthil Kumar

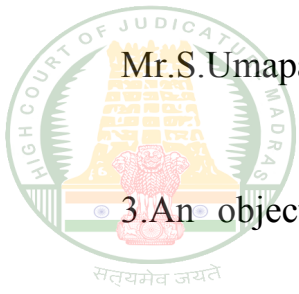
For Respondent(s):

Mr. S. Umapathy For Rr1 & 2.

ORDER

The present application has been filed to appoint an Advocate Commissioner to divide the suit schedule property into 4 equal shares and allot my 1/4th share by metes and bounds in view of the preliminary decree dated 04.03.2024.

2. Heard Mr.Arun kumar, learned counsel for M/s.Sampath and Associates, for applicant and



Mr.S.Umapathy, learned counsel for first and second respondents.



3.An objection was taken out by the learned counsel appearing for the respondents/defendants that there is an discrepancy in the measurement to the suit schedule property.

Admittedly a preliminary decree had been passed in the instant suit. An objection had been taken by the learned counsel for the respondents 1 & 2 that there is a discrepancy in the measurement of the suit scheduled property. This Court is of the view that if an advocate commissioner is appointed, he would also be in a position to give his findings on the extent of the suit schedule property and the dispute can also be resolved.

4.In such view of the matter this Court appoints Mr.D.Jagajothi, Advocate (Enrl.No.559/2019), residing at No.229/6, Mercantile Plaza, 1st Floor, NSC Bose Road, Chennai – 1, (Phone No.8608505598), as an advocate Commissioner for determining as to whether the suit schedule property could be divided into equal shares and if so prepare a plan so as to enable the parties to identify the property that can be allotted to them. The learned Advocate Commissioner would be entitled for an initial remuneration for a sum of Rs.25000/- (Rupees Twenty Five Thousand only). The learned Advocate Commissioner shall also file a report to that effect by 14.03.2025.



List the matter on 14.03.2025



21-02-2025

Gba

Note: Issue order copy on 25.02.2025.

To

1. B.Venkatesan And 2 Others

S/o.Late S.Balaraman, All residing at New No.19, Ghulam Abbas Ali
Khan 9th Street, Thousand Lights, Chennai 600 006.

2. Mr.B.Viswanathan

S/o.Late S.Balaraman

3. Mr.B.Anandan

S/o.Late S.Balaraman