

CMP(MD). No.11656 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
(Civil Appellate Jurisdiction)

Thursday, the Twenty Fourth day of July Two Thousand and Twenty Five
PRESENT

THE HONOURABLE MR. JUSTICE R.VIJAYAKUMAR

CMP(MD). No.11656 of 2025

in

SA.No.1608 of 2003

Rajammal ... Petitioner/ Appellant
Vs

1 Vedhamuthu (Died)

2 Louis Mary (Died)

3 The Commissioner
Madurai Municipal Corporation
Anna Maligai
Thallakulam
Madurai 625 011.

4 V.Jerold William Raja

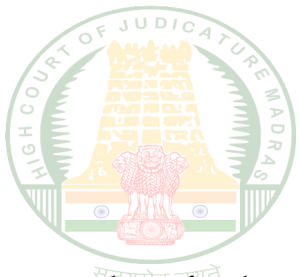
5 V.Stalin Arokiya Raja

6 Jomin Amala Rani

7 Emalda Fathima ... Respondent/ Respondent

Prayer in CMP(MD). No.11656 of 2025:-

Civil Miscellaneous Petition is filed under Order 26 Rule of CPC, Praying this Court, to Appoint an Advocate/Commissioner along with a qualified Surveyor to



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identify the suit common pathway as described in the schedule in suit S.No.34/24 by demarcating it from the property in S.No.33/4 lying immediately on the north of the suit property, which is the subject matter of the suit in OS No.1042 of 1990 on the file of the Additional District Munsif, Madurai Town, pending disposal of the above Second Appeal.

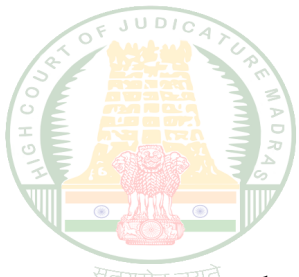
Prayer in SA.No.1608 of 2003:-

Second Appeal is filed under Section 100 of CPC, to prefers this memorandum of Second Appeal against the Judgment and Decree dated 08.04.2003 made in A.S.No.84 of 1994 on the file of the II Additional Sub-Ordinate Judge, Madurai in confirming the decree and Judgment dated 02.03.1994 made in O.S.No.1042 of 1990 on the file of Additional District Munsif, Madurai.

ORDER:-

This Civil Miscellaneous Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.V. Balaji, Advocate for the Petitioner and of Mr.I. Robert Chandrakumar Advocate For R4, R6 & R7, Mr.K.K.Kannan Advocate For R3, this Court made the following order:

"The present Civil Miscellaneous Petition has been filed by the appellant in the second appeal seeking to appoint an Advocate Commissioner along with a qualified surveyor to identify the suit common pathway.



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2. The learned Counsel appearing for the respondents has made an endorsement to the effect that he has no objection to allow the application.

3. In view of the above said facts, the Civil Miscellaneous Petition stands allowed and Mr.S.Kumar (Enrollment No.2088/2004), Advocate, No.147, Law Chamber, High Court, Madurai Bench is appointed as an Advocate Commissioner.

4. The initial remuneration of Rs.25,000/- is fixed to the Advocate Commissioner. The appellant shall pay Rs.25,000/- (Rupees Twenty Five Thousand only) to the Advocate Commissioner.

5. For filing report, call on 08.08.2025.

Sd/-

Assistant Registrar (CO)

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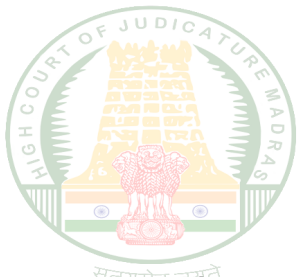
/ /2025

Sub Assistant Registrar
(CS - I / II / III / IV)

BTR

TO

1. The Commissioner
Madurai Municipal Corporation
Anna Maligai
Thallakulam, Madurai 625 011.



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2. Mr.S. Kumar Advocate(Enrollment No.2088/2004)
No.147, Law Chamber,
High Court,
Madurai Bench

Copy to:

The Section Officer,
Judicial Section,
Madurai Bench of Madras High Court,
Madurai

ORDER DATED : 24/07/2025

HEARING DATE : 08/08/2025

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ORDER

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in
SA.No.1608 of 2003

Giving direction and etc.
as stated within.

SL (31.07.2025)/4P/ 4C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.