

ORDERS ON I.A. NO.3
FILED UNDER ORDER 26
RULE 13 R/W SECTION
151 OF CPC BY THE
PETITIONERS

This is an application filed by the petitioners with a request to appoint the Assistant Director of Land Records, Kanakapura Taluk as Court Commissioner to effect the partition by demarcating the suit schedule properties as per preliminary decree passed in O.S.No.36/2007 dated 20-12-2014.

In the affidavit it is stated that, the plaintiff viz Kalaiah has filed suit against respondent for partition and separate possession under O.S.No.36/2007 and the suit was decreed on 20.12.2014. No appeal was preferred by respondent. Hence petitioners pray to appoint the Court Commissioner to make partition of suit schedule property. Along with the petition certified copy of judgment and decree also

produced. As per Judgment and decree of O.S.36/2007, the original plaintiff is allotted 1/3rd share in suit schedule properties. There is no appeal by the respondent. After service of notice of this petition on the respondent, he has not appeared in the present. Therefore no impediment to this court to accept the application filed by petitioners.

Hence the Tahasildar, Kanakapura Taluk is to be appointed as court commissioner to make partition and demarcate the share of the petitioners in suit schedule properties as per preliminary decree. Hence this court proceeds to pass the following;

ORDER

I.A.No.3 filed U/o XXVI Rule 13 R/w Section 151 of CPC by the petitioners is hereby allowed.

The Tahasildar, Kanakapura is appointed as court commissioner for demarcating the share of

petitioners in the suit
schedule properties as per
preliminary decree.

The Commissioner fee of
Rs. 3,000/- is tentatively
fixed.

Issue Commissioner's
warrant as per order **after
depositing the court
commissioner's fee and
PF.**

Call on 28.11.2025.

Sd/-
Prl., Civil Judge & JMFC.,
Kanakapura.