

Case called out.

Neither petitioners nor respondent are present.

On 22-04-2025 this court has partly decreed the suit.

As per the judgment of the Hon'ble Supreme Court Dated 13-06-2022 in **Kattukandi Edathil Krishnan Vs. Kattukandi Edathil Vaisan 2022 SCC online SC 737**, this matter is directly posted to draw the final decree.

There is no intimation of appeal and stay. As such, there is no any obstacle to proceed with the present case so as to secure a scheme of partition by appointing the Court Commissioner. In order to draw the final decree, it is necessary to effect partition by metes and bounds. Since the suit schedule properties are agricultural lands assessed to pay revenue, the Tahasildar, Honnavar shall be appointed as commissioner to effect the partition.

Hence, I proceed to pass the following:-

ORDER

The Tahasildar, Honnavar is hereby appointed as Court Commissioner to effect the partition as per Sec.54 of CPC.

The Court Commissioner's fee for that purpose is tentatively fixed at Rs.2,000/-.

Issue Commissioner warrant along with the copy of preliminary decree and the RTC's pertaining to suit schedule properties if P.F paid.

For await report.

Call on 18/08/2025.

SD/-

**Pri. Civil Judge and JMFC.,
Honnavar.**