

IN THE COURT OF THE DISTRICT MUNSIF OF UDHAGAMANDALAM

Present: **Thiru. L.PRAKASH., B.Sc., B.L.,**
DISTRICT MUNSIF, UDHAGAMANDALAM.

Thursday, the 23rd day of October 2025

I.A. No. 04 of 2025
in
I.A. No. 01 of 2022
in
O.S. No. 97 of 2016
(C.N.R. No. TNNS030 - 00304 - 2016)

J. Ravindran,
S/o. M.B. Joghee,
Aged about 68 years,
Residing at 2/210, Hullathi – Melur,
The Nilgiris.

... Petitioner/Petitioner/Plaintiff

/VS/

1. M.J. Subban,
S/o. M.B. Joghee,
Aged about 74 years,
Residing at Astalakshmi Garden,
G.N. Milla, Mettupalayam Road,
Coimbatore.
2. P. Suresh Babu,
S/o. T.P. Swamy,
Aged about 48 years,
Residing at 180/1, Giri Nagar,
3rd Street, Koundampalayam, Coimbatore.

... Respondents/Respondents/Defendants

By petition dated 19.09.2025 Under Section 151 of the Code of Civil Procedure, the petitioner prays to re-open the I.A. No. 01/2022 filed under Order 26 Rule 9 of the Code of Civil Procedure, which was closed on 08.07.2025 and pass appropriate orders for availing commission report as deem fit in the circumstances of the abvoe case.

This petition came on 06.10.2025 for final hearing before me in the presence of Mr. Pon Ramachandran, learned Counsel for the Petitioner and of Mr. B.S. Sivakumar, learned Counsel appearing for the Respondents, upon considering the case records carefully, this court passes the following:

FINAL ORDER

That this petition be and the same will be allowed on the following conditions

- (a) That the petitioner shall pay a cost of Rs.3,000/- (Rupees Three Thousand Only) to the respondent on or before 28.10.2025.*
- (b) That on such payment, the petition filed in I.A. No. 01 of 2022 under Order 26 Rule 9 CPC shall stand reopened, and the Advocate Commissioner already appointed shall execute the warrant and file his report within four weeks, without seeking further extension,*
- (c) Further, that the plaintiff shall commence the trial on the next hearing date, i.e. on 28.10.2025 without waiting for the Advocate Commissioner's report, as such report is only intended to assist the Court and cannot be treated as substantive evidence to prove the case.*
- (d) If the cost is not paid within the stipulated time, this petition shall stand dismissed automatically.*

For compliance call on 28.10.2025.

Given under my hand and seal of this court, this the 23rd day of October 2025.

**District Munsif,
Udhagamandalam.**

Final Order:

I.A. No. 04/2025

in

I.A. No. 01/2022

in

O.S. No. 97/2016

Date: **23.10.2025**

District Munsif Court,

Udhagamandalam.