

IN THE COURT OF PRINCIPAL DISTRICT JUDGE AT TIRUVALLUR

**PRESENT: Tmt.J. JULIET PUSHPA, B.SC., M.L.,
Principal District Judge, Tiruvallur**

Monday, the 25th day of November 2024

I.A.No.5/2023 in Commercial O.S.53/2023

M/s.Tako Mega Constructions Private limited, Represented by its Managing Director, Mr.Kim Yong Cheorl, residing at No.479A, Bangalore Highway, Sunshine Tower, Nazarathpet, Poonamallee, Chennai-600023.

.....Petitioner/Plaintiff.

/Vs/

M/s.Pioneer Coldstore and Cladding Private limited, Represented by its Group General Manager, S.T.Thendral, residing at No.25, Pallavan Nagar Main Road, Maduravoyal, Chennai-600095.

.....Respondent/Defendant

This petition is filed by the petitioner under order XXVI Rule 9 and 10 of Civil Procedure Code to appoint an Advocate Commissioner to value the subject materials with licenced surveyor and to file his report.

The Court fee of Rs.20/- was affixed on the petition and was first presented on 03.02.2023

This petition is coming on for final hearing on 20.11.2024 in the presence of M/s.A.R.Poovannan, learned counsel for petitioner, M/s.S.Muthukumaravel learned counsel for the respondent and upon hearing both sides, perusing the material case records and having stood over for consideration till this date, this court doth and decreetal order as follows:-

DECREETAL ORDER

1.	that the petition be and the same is hereby allowed.
2.	that the petition be and the same is Thiru.S.Sushil Kumar, Advocate, Tiruvallur is appointed as Advocate Commissioner to inspect the premises of the plaintiff and note down the physical availability of the materials (PCC/45/250 Composite Panel) supplied by the defendant as per the Purchase Order vide PO No.TMC/HAN/22-23/00145 with the help of a Licenced Surveyor and file the report on the particulars of materials available with specifications as per the above Purchase Order.
3.	that the advocate commissioner is directed to execute the warrant after due notice to both parties and also record objections if any by either party.
4.	that the commissioner fee is fixed at Rs.20,000/-. and the same is hereby petitioner is directed to pay the fees to the commissioner directly within 10 days and to file a memo before this court to that effect.
5.	that the advocate commissioner be and is directed to file report along with commissioner report certification/licenced surveyor report on or before 20.12.2024

SCHEDULE OF COSTS

	Petitioner side cost Rs.	Respondent side cost Rs.
Stamp on petition	20.00	-
Total	20.00	

(Cost memo not filed by both sides, hence cost not certified)

Given under my hand and seal of this Court, this the 25th day of November 2024

Sd/- **J. JULIET PUSHPA**
PRINCIPAL DISTRICT JUDGE,
TIRUVALLUR