



IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Civil Appellate Jurisdiction )

Monday, the Twenty Fifth day of April Two Thousand Twenty Two

PRESENT

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

SA.No.37 of 2012

MR.MAHENDRA KUMAR,  
S/O.KULASEKARA NAIDU,  
3, VINAYAKAR KOIL STREET,  
PADHUVANCHERRY, MOPPEDU POST,  
CHENNAI 600 073.

[ APPELLANT ]

Vs

MR.GIRIBABU,  
S/O.VENKATESALU NAIDU, 4, (OLD NO.9),  
VINAYAKAR KOIL STREET, PADHUVANCHERRY,  
MOPPEDU POST, CHENNAI 600 073.

[ RESPONDENT ]

Second Appeal against the judgment and decree in A.S.No.68/2009, on the file of the Subordinate Court, Tambaram, dated 30/7/11 in reversing the judgment and decree in O.S.No.172/2006, on the file of the District Munsif Court, Tambaram, dated 01.12.08 (in SA.No.37 of 2012).

Order : This appeal coming on this day for hearing upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.V.RAGHAVACHARI, Advocate for the appellant, the court made the following order:-

Pursuant to the orders passed by this Court on 21.04.2022, the learned Advocate Commissioner was present before this Court. He submitted that immediately after the orders were passed by this Court, he had sent a communication to the learned counsel appearing on either side on 12.12.2018 to furnish him with the particulars viz., the title deeds and the relevant documents in order to enable him to carryout the inspection and measure the suit property. Since the documents were not furnished, he was not in a position to proceed further.

2.The learned Advocate Commissioner also submitted that he has received 50% of the remuneration from the respondent. It was further submitted that once the documents are furnished, he will conduct the inspection and measure the property and file a report before this Court.



3. The learned counsel for the appellant also submitted that she has instructed the party to pay the remuneration to the learned Advocate Commissioner and to co-operate at the time of inspection.

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4. In view of the above, learned counsel appearing on either side shall furnish the title deeds and other documents to the learned Advocate Commissioner on or before 29.04.2022, if it has not already been furnished. The learned counsel for the appellant shall direct the appellant to pay the remuneration to the learned Advocate Commissioner on or before 29.04.2022. The learned Advocate Commissioner shall conduct the inspection as directed in the earlier orders passed by this Court on 30.11.2018 and file a report before this Court.

5. Post this case under the caption 'For Filing Report' on 13.06.2022.

-sd/-

25/04/2022

/ TRUE COPY /

Sub-Assistant Registrar ( Statistics / C.S. )  
High Court, Madras - 600 104.

TO

1 THE SUBORDINATE JUDGE,  
TAMBARAM.

2 THE DISTRICT MUNSIF,  
TAMBARAM.

COPY TO  
MR.P.DINESH KUMAR, ADVOCATE  
(ENTROLLMENT NO.2906 OF 2010)  
NO.39, LAW CHAMBERS, HIGH COURT,  
MADRAS-104. CELL NO: 98402-52728

Order

in  
SA.No.37 of 2012

Date :25/04/2022

From 26.2.2001 the Registry is issuing certified  
copies of the Interim Orders in this format  
PA (27/04/2022) P