

**C.S.No.252 of 2011 and A.No.785 of 2020**

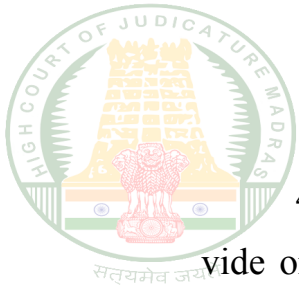
**C.SARAVANAN, J.**

**WEB COPY** In the present case, the Plaintiff had filed the Application No.784 of 2020 in C.S.No.252 of 2011 praying to appoint an Advocate Commissioner to inspect and divide the Schedule 'A' to Schedule 'D' properties by metes and bounds and to allot 1/3<sup>rd</sup> share to the Plaintiff.

2. This Court vide order dated 10.03.2020, appointed Mr.P.Prithvi Chopda as the Advocate Commissioner to inspect and divide the Schedule 'A' to Schedule 'D' properties for allotting 1/3<sup>rd</sup> share to the Plaintiff and fixed Rs.40,000/- as remuneration of the Advocate Commissioner. Pursuant to the said order, the learned Advocate Commissioner executed the warrant by inspecting the Schedule 'A' to Schedule 'D' properties and filed his Report on 02.12.2021.

3. Thereafter, this Court vide order dated 03.12.2021, directed the learned Advocate Commissioner to value the aforesaid schedule properties with the help of a qualified valuer, pursuant to which, the Advocate Commissioner valued the schedule properties with the help of a qualified Engineer and filed a Valuation Report dated 26.10.2022 before this Court, wherein, the value of the suit schedule properties had been arrived as follows:

|                       |   |                  |
|-----------------------|---|------------------|
| Schedule 'A' property | - | Rs.1,26,01,000/- |
| Schedule 'B' property | - | Rs.2,44,01,000/- |
| Schedule 'C' property | - | Rs.4,51,68,000/- |
| Schedule 'D' property | - | Rs.1,64,78,000/- |



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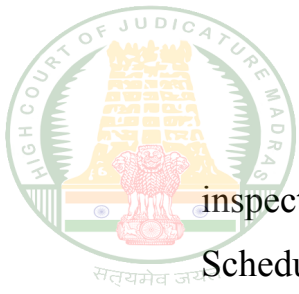
4. After the filing of Valuation Report dated 26.10.2022, this Court vide order dated 16.06.2023, directed the learned Advocate Commissioner to proceed with the sale of Schedule 'C' property and fixed a sum of Rs.50,000/- as fees of the Advocate Commissioner for carrying out the said exercise and also, directed that the fees of the Advocate Commissioner shall be equally defrayed by the parties. Subsequently, this Court vide order dated 20.09.2023, directed the learned Advocate Commissioner to proceed with the sale of Schedule 'A', Schedule 'B' & Schedule 'D' properties by way of public auction.

5. The learned Advocate Commissioner has also filed a Report dated 20.04.2025, wherein, it has been stated that after check and verification with the valuer and other professionals at Chennai & Bangalore, there is an approximate escalation in the value of the Schedule 'A', Schedule 'B' & Schedule 'D' properties at the rate of 10%, based on which, Schedule 'A', Schedule 'B' & Schedule 'D' properties are valued as under:

|                       |   |                  |
|-----------------------|---|------------------|
| Schedule 'A' property | - | Rs.1,38,61,000/- |
| Schedule 'B' property | - | Rs.2,68,41,000/- |
| Schedule 'D' property | - | Rs.1,81,26,000/- |

Therefore, the learned Advocate Commissioner prayed this Court to fix the base price of Schedule 'A' property at Rs.1,38,61,000/-, Schedule 'B' property at Rs.2,68,41,000/- & Schedule 'D' property at Rs.1,81,26,000/- for auctioning the said properties.

6. In view of the above, the Advocate Commissioner is directed to



inspect the suit schedule properties viz., Schedule 'A', Schedule 'B', Schedule 'C' & Schedule 'D' and to obtain a fresh valuation of the suit schedule properties, for which, a sum of Rs.30,000/- (Rupees Thirty Thousand Only) is fixed as additional remuneration to the learned Advocate Commissioner.

7. The Plaintiff and the Defendants are directed to pay their equal share towards the payment of additional remuneration to the learned Advocate Commissioner. They are further directed to make arrangements for transportation and accommodation of the learned Advocate Commissioner.

8. List the case on 10.06.2025 for filing of Fresh Valuation Report of the learned Advocate Commissioner.

**23.04.2025**

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**C.SARAVANAN, J.**



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