



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

C.V.KARTHIKEYAN, J.

The learned counsel for the plaintiff is present through video conference and the learned Advocate Commissioner is also present.

2.The suit had been filed with respect to four separate properties which had been categorized as A, B, C and D schedule properties. After a preliminary decree had been passed determining the shares of the parties, final decree application had been filed seeking appointment of an Advocate Commissioner to put into effect the preliminary decree. Pending the final decree application, one of the sharers, who was the 1st defendant in the suit, had died and his legal representatives had been brought on record as 4th to 6th defendants. The 3rd defendant who was one of the sharer and the 4th to 6th defendant had expressed interest to purchase the C-schedule property which is a house site.

3.The learned Advocate Commissioner had given the value for each one of the four properties. But since time had flowed by, he was directed to give a fresh valuation and he had proposed an increase of 10% from the initial valuation. A learned Single Judge of this Court in the previous hearing date on 23.04.2025 was of the opinion that fresh valuation could be obtained for each one of the four properties and also suggested that it could be done with the assistance of a valuer. But that particular step had not been taken by the learned Advocate Commissioner, who seeks further instructions from this Court.



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4.The learned counsel for the plaintiff stated that the C-schedule property was sought to be purchased by the 4th, 5th and 6th defendants / legal representatives of one of the sharers, but mediation in that regard failed.

5.In these circumstances, the learned Advocate Commissioner may file a memo by determining the value with 10% over and above the value initially determined for A, B, C and D schedule properties.

6.The learned counsel for the defendants are unfortunately not present. It is hoped that they would be present in Court for the next hearing date. Call on 24.06.2025.

10.06.2025

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