



C.S.No.329 of 2003

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N.SESHASAYEE.J.,

The Commissioner has filed his report. The plaintiffs 3 to 6 takes time to file their objections.

2. When enquired broadly as to the nature of objection vis-a-vis the Commissioner's report, this Court is informed that it pertains to the valuation of the property. As per the instructions, the plaintiffs have stated that the Commissioner has grossly undervalued each of the properties.

3. This Court now requires the plaintiffs to not only quote the approximate and fair value to each of the properties that they may fetch, but also to provide certain credible materials for this Court to determine the fair base price for the property.

4. In the context, auctioning the property in a final decree proceeding for partition is not the same as auctioning the property attached in a money decree. Therefore, any of the parties to the litigation may find a buyer for a price higher than the value fixed by the Commissioner to let the Court choose the one who makes the highest offer as the purchaser.



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J.



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Anu

5.Both sides are required to bear this option also in mind.

6.Mr.K.V.Ananthkrishnan, the learned counsel informed the Court that he has already returned the papers to D13 and D15.

7.The Registry is required to drop the name of Mr.K.V.Ananthkrishnan and print the names of D13 and D15 in the cause list.

8.Post the matter on 21.03.2023.

01.03.2023

Anu

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