



C.R.P.(MD)No.2797 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.11.2023

CORAM:

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

C.R.P.(MD)No.2797 of 2023

and

C.M.P.(MD)No.14606 of 2023

S.Arumugam Chettiar

... Petitioner/
Petitioner/
Plaintiff

Vs.

1. The District Collector,
O/o. The District Collector,
Tirunelveli District.

2. The Tahsildar,
Ambasumdrum,
Tirunelveli District.

... Respondents/
Respondents/
Defendants

Prayer : This Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the order dated 08.06.2023 passed in I.A.No.4 of 2022 in O.S.No.162 of 2022 on the file of the learned Sub Court, Ambasamuthiram.



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For Petitioner : Mr.T.Thirumurugan

For Respondents : Mr.J.John Rajadurai
Government Advocate (Civil Side)

ORDER

The Civil Revision Petition is directed against the order passed in I.A.No.4 of 2022 in O.S.No.162 of 2022 dated 08.06.2023 on the file of the Sub Court, Ambasamuthiram, dismissing the commission petition.

2. The revision petitioner/plaintiff has filed the above suit for declaration and the consequential permanent injunction, that the respondents/defendants have filed a written statement alleging that the suit properties are poramboke land and that after filing of the written statement, the revision petitioner/plaintiff has filed the commission petition in I.A.No.4 of 2022 to show the physical features of the suit properties by alleging that the respondents/defendants are attempting to encroach into his properties.

3. As rightly observed by the learned trial Judge, the revision petitioner/plaintiff through the commission petition is attempting to show



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the possession of the suit properties and that cannot be permitted. Hence, the impugned order dismissing the commission petition cannot be found fault with.

4. In the result, this Civil Revision Petition is dismissed.

Consequently, connected Miscellaneous Petition is closed. No costs.

01.11.2023

NCC :yes/No
Index :yes/No
Internet:yes/No
csm

To

1. The Sub Court,
Ambasamuthiram.
- 2.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.
3. The District Collector,
O/o. The District Collector,
Tirunelveli District.
4. The Tahsildar,
Ambasumdrum,
Tirunelveli District.



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K.MURALI SHANKAR,J.

csn

Order made in
C.R.P.(MD)No.2797 of 2023
and
C.M.P.(MD)No.14606 of 2023

Dated : 01.11.2023