



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-07-2026

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THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE

CRP No. 4079 of 2026

and

CMP No. 17816 of 2026

1. Govindarajan

Rep. by his power agent, Periyayi, W/o.
Govindarajan, Puthirampattu Village,
Sankarapuram Tk., Kallakurichi Dist.

Petitioner(s)

Vs

1. Chellakutty

S/o.Mari, Rest.at Puthirampattu Village,
Sankarapuram Tk., Kallakurichi Dist.

2.Selvam @ Panner Selvam

S/o.Mari, Rest.at Puthirampattu Village,
Sankarapuram Tk., Kallakurichi Dist.

3.Elumalai

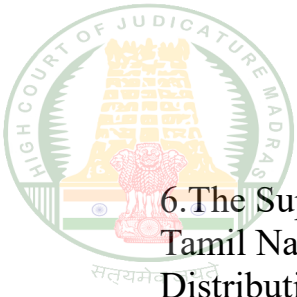
S/o.Mari, Rest.at Puthirampattu Village,
Sankarapuram Tk., Kallakurichi Dist.

4.The Asst.Engineer

Operation/Maintenance Divison, Tamil
Nadu Generation and Distribution
Corporation, Puthupattu Village,
Present Vanapuram Tk.

5.The Assistant Executive Engineer
(West)

Operation/ Maintenance Division,
Tamil Nadu Generation and
Distribution, Corporation,
Sankarapuram Town, Sankarapuram
Tk.



6. The Superintendent Engineer
Tamil Nadu Generation and
Distribution Corporation, Kallakurichi.

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Respondent(s)

PRAYER

Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the fair and decreetal order dated 16-04-2026 passed in IA.No.1400 of 2024 in OS.No.129 of 2019 on the file of the Dist.Munsif Court, Sankarapuram.

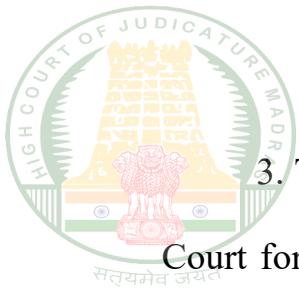
For Petitioner(s): Mr. R.Bharath Kumar

For Respondent(s): Notice dispensed with

ORDER

This Civil Revision Petition has been filed, challenging the impugned order dated 16.04.2026 passed by the District Munsif Court, Sankarapuram, in I.A. No.1400 of 2024 in O.S. No. 129 of 2019.

2. In the aforesaid order, the application filed by the petitioner, who is the plaintiff in the suit, seeking for appointment of an Advocate Commissioner to note down the physical features and measure the suit schedule property with the help of a surveyor, has been dismissed. The trial Court, while dismissing the application, has held that since the application has been filed after a period of six years, is not maintainable. The trial Court has also further observed that the Advocate Commissioner cannot be appointed to collect evidence.



3. This Court does not find any infirmity in the reasons given by the trial Court for dismissing the petitioner's application. Admittedly, the suit has been filed for declaration of title. The petitioner / plaintiff will have to prove his case with the aid of oral and documentary evidence. No useful purpose will be served if an Advocate Commissioner is appointed to note down the physical features of the suit schedule property and measure the suit schedule property.

4. The trial Court has also rightly rejected the petitioner's application on the ground of inordinate delay in filing the same. Admittedly, the petitioner/plaintiff had filed the application after a lapse of six years. As rightly pointed out by the trial Court, the petitioner cannot seek for appointment of an Advocate Commissioner to collect evidence.

5. Since there is no merit in this Civil Revision Petition, this Civil Revision Petition is dismissed. No Costs. Consequently, connected miscellaneous petition is closed.

6. Since no adverse orders are passed against the respondents, notice to the respondents is dispensed with by this Court.

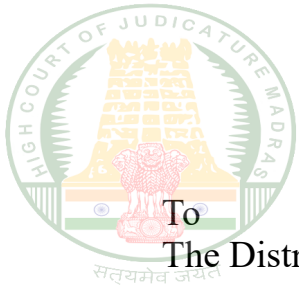
22-07-2026



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Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No
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To

The District Munsif Court, Sankarapuram.

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ABDUL QUDDHOSE J.

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