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CRP Nos. 2571,2572 and 2574 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-07-2026

CORAM

THE HON'BLE MR JUSTICE ABDUL QUDDHOSE

CRP Nos. 2571,2572 and 2574 of 2025

and

CMP.Nos.14633,14634 & 14641 of 2025

1. P.V.Rajendran
S/o.Late P.B.Venkataraman,
2. P.V.Kumaraguruparan,
S/o.Late P.M.Venkataaraman,
3. P.V.Manivannan,
S/o.Late P.B.Venkataraman,
4. P.V.Vasanthakumar,
S/o.Late P.B.Venkataraman,

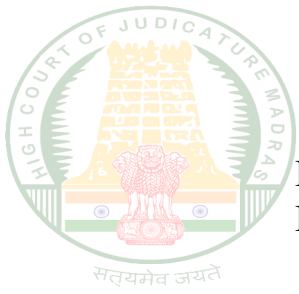
..Petitioners in all
CRP's

Vs

1. Jayaprakash
S/o.Varadharajulu Chettiar,
2. Vimal,
S/o.Jayaprakash,

..Respondents in all
CRP's

Civil Revision Petitions filed under Article 226 of Constitution of India praying to set aside the fair and decreetal order passed by the Subordinate Judge, Pappireddipatti dated 27.01.2025 made in I.A.Nos.01, 02 and 03 of 2024 in I.A.No.827 of 2011 in O.S.No.117 of 2023.



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For Petitioner(s):
For Respondent(s):

Mr.P.M.Jayachandran
Mr.B.Bharathkumar
for Mr.V.Nicholas
For RR1 & 2

COMMON ORDER

C.R.P.No.2571 of 2025 has been filed challenging the impugned order dated 27.01.2025 passed by the Sub Court, Pappireddipatti in I.A.No.1 of 2024 in I.A.No.827 of in O.S.No.117 of 2023. In the aforesaid order, the application filed by the petitioners/plaintiffs seeking for appointment of an Advocate Commissioner and to direct him to take the measurement of the suit property with reference to the registered will dated 10.07.2000 bearing Doc. No.27/BK-III/2000 of Kadathur SRO, Sale Deed dated 30.01.1989 bearing Doc.No.16/1989 of Kadathur SRO and the registered Gift Settlement Deed dated 08.12.2010 bearing Doc.No.1694/2010 and to note down the entire physical features of the suit property, has been dismissed.

2. CRP.No.2572 of 2025 has been filed by the petitioners/plaintiffs challenging the impugned order dated 27.01.2025 passed by the Sub Court, Pappireddipatti dated 27.01.2025 in I.A.No.03 of 2024 in O.S.No.117 of 2023. In the aforesaid order, the application filed by the petitioner to reopen the case on the side of the petitioners/plaintiffs so as to enable them to take fresh commission for taking exact measurement of the suit property through the Court Commissioner and to give further evidence on the side of the



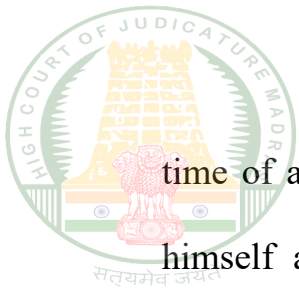
petitioner/plaintiffs, has been dismissed.

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3. C.R.P.No.2574 of 2025 has been filed by the petitioner/plaintiffs, challenging the order dated 21.07.2025 passed by the Sub Court, Pappireddipatti in I.A.No.2 of 2024 in I.A.No.827 of 2011 in O.S.No.117 of 2023. In the aforesaid order, the application filed by the petitioners/plaintiffs seeking to scrape the report of the Advocate Commissioner with plan which was filed by the Advocate Commissioner, in I.A.No.827 of 2011 has been dismissed.

4. Since these Civil Revision Petitions arise out of very same suit, these Civil Revision Petitions are disposed of by this Court through a common order.

5. The Trial Court while dismissing the applications has held that the applications have been filed belatedly by the petitioners/plaintiffs. It is an undisputed fact that the Advocate Commissioner was appointed at the instance of the petitioners/plaintiffs through an application filed under I.A.No.827 of 2011. It is also an undisputed fact that that the petitioners/plaintiffs have also filed their objections to the said Advocate Commissioner's report and the said objections have also been taken on record by the Trial Court. Instead of raising objections with regard to the earlier Advocate Commissioner's report at the

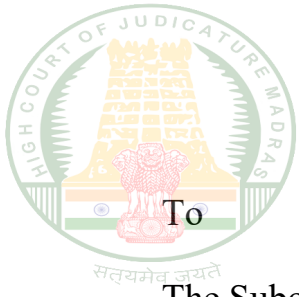


time of arguments in the main suit or examining the Advocate Commissioner himself as a witness, if so desired, the petitioners/plaintiffs have filed the applications before the Trial Court stating that there are discrepancies in the Advocate Commissioner's report, which have been dismissed under the impugned orders. The suit is of the year 2011. As seen from the impugned orders, several adjournments were granted by the Trial Court, even after the trial commenced. Only during the stage of arguments in the main suit, the petitioners/plaintiffs have come forward with I.A.Nos.01 to 03 of 2024 seeking for the prayers sought for in these applications as stated supra in this order. The suit has been filed by the petitioners/plaintiffs for declaration of title, permanent injunction and for mandatory injunction and therefore they ought to be vigilant in filing the applications to protect their interest, at earliest point of time. The Trial Court has rightly rejected the same which admittedly includes the reason that the applications were filed belatedly.

For the foregoing reasons this Court does not find any merit in these Civil Revision Petitions. Accordingly, these Civil Revision Petitions are dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed.

16-07-2026

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

The Subordinate Court, Pappireddipatti.

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ABDUL QUDDHOSE, J.

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