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CRP No. 3931 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-07-2026

CORAM

THE HON'BLE MR JUSTICE ABDUL QUDDHOSE

**CRP Nos. 3931 & 3884 of 2026
AND
CMP NO. 17025 & 17167 OF 2026**

1. T.Periyanayagi
2. S.Sethupathy

..Petitioners

Vs

1. M.C.Selvaraj
2. C.Murugesan
3. A.Vijayanand

..Respondents

Prayer in CRP No. 3931 of 2026 : Civil Revision Petition is filed under Article 227 of Constitution of India, praying to set aside the Fair order dated 16.03.2026 made in I.A. No.11 of 2025 in O.S.No.239 of 2020 on the file of the District Munsif Court, Kangayam.

Prayer in CRP No. 3884 of 2026 : Civil Revision Petition is filed under Article 227 of Constitution of India, praying to set aside the Fair order dt. 16.03.2026 made in I.A. No. 12 of 2025 in OS No. 239 of 2020 on the file of the District Munsif Court, Kangayam.

In both CRPs:

For Petitioners:	Mr.C.Munusamy
For Respondents:	Notice dispensed with [R1 & R2] Mr.R.Prabakar [R3]



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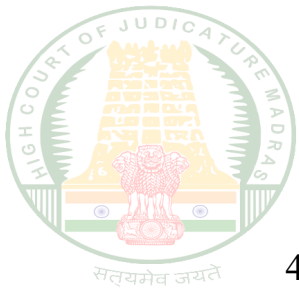
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ORDER

Since these Civil Revision Petitions are arising out of the very same suit in O.S.No.239 of 2020, these revisions are disposed of by way of this common order.

2. C.R.P.No.3931 of 2026 has been filed challenging the impugned order dated 16.03.2026 passed by the District Munsif Court, Kangayam in I.A.No.11 of 2025 in O.S.No.239 of 2020. In the aforesaid order, the application filed by the petitioners seeking to reopen the case trial in the said suit which has not been posted for arguments has been dismissed.

3. C.R.P.No.3884 of 2026 has been filed challenging the impugned order dated 16.03.2026 passed by the District Munsif Court, Kangayam in I.A.No.12 of 2025 in O.S.No.239 of 2020. In the aforesaid order, the application filed by the petitioners seeking to appoint an Advocate Commissioner along with a license engineer to elicit the market value of the suit schedule property prevailed in the years 2014 and 2019 has been dismissed.



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4. Since no adverse order has been passed against the respondents 1 and 2 in this revision, notice to the respondents 1 and 2 is dispensed with by this Court. Mr.R.Prabakar, learned counsel takes notice on behalf of the 3rd respondent.

5. The trial court while dismissing both the applications has given the following reasons :-

(a) there is no necessity for the petitioners to appoint an Advocate Commissioner for the purpose of ascertaining the guideline value/market value of the suit schedule property.

(b) the validity and the binding nature of the two sale deeds, which are sought to be declared as null and void is the subject matter of the suit, which can be decided only after trial and therefore, there is no necessity for the petitioners to seek appointment of an Advocate Commissioner to ascertain the guideline value/market value of the suit schedule property.

(c) there is no necessity for the petitioners to ascertain the guideline value/market value of the suit schedule property through appointment of an Advocate Commissioner by summoning a witness as the petitioners could have produced the documentary evidence before the



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trial court for the purpose of proving the guideline value/market value of the suit schedule property.

(d) the suit is at the stage of arguments and at this belated state, the applications filed by the petitioner cannot be entertained.

6. Admittedly, the suit has been filed by the petitioners seeking to declare the two sale deeds, one dated 13.03.2014 and the other dated 23.09.2019 as null and void. The defendants have also taken the plea of limitation in the suit. The suit is of the year 2020. Admittedly, the applications were filed by the petitioners only during the arguments stage in the main suit. The trial court has given sound reasons for dismissing the petitioners' applications as stated supra.

7. During the course of arguments before this Court, the learned counsel for the petitioners submitted that after this Court had expressed its view that this Court is not going to interfere with the impugned orders, and the petitioners may be granted one more opportunity to produce documents before the trial court to prove the guideline value/market value of the suit schedule property and the petitioners are not insisting for the



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appointment of an Advocate Commissioner as prayed for in I.A.No.12 of 2025 in O.S.No.239 of 2020, which has been dismissed in the impugned order.

8. Learned counsel for the 3rd respondent has also not raised any serious objection if the petitioners are allowed to mark documents with regard to the guideline value/market value of the suit schedule property provided this Court directs the trial court to dispose of the suit, within a time frame to be fixed by this Court.

9. Since this Court is not interfering with the impugned order, dismissing the petitioners' application seeking appointment of an Advocate Commissioner in I.A.No.12 of 2025, the Civil Revision Petition filed challenging the said order, namely C.R.P.No.3884 of 2026 is dismissed.

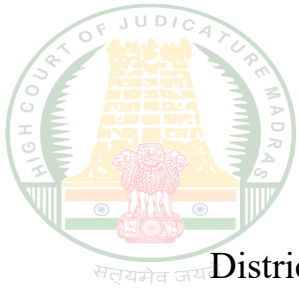
10. However, the other revision, namely C.R.P.No.3931 of 2026 seeking to set aside the order dated 16.03.2026 passed in I.A.No.11 of 2025 in O.S.No.239 of 2020, under which the petitioners' application



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seeking to reopen the trial in O.S.No.239 of 2020 on the file of the District Munsif Court, Kangayam is disposed of by setting aside the order dated 16.03.2026 passed in I.A.No.11 of 2025 in O.S.No.239 of 2020, to enable the petitioners to produce documentary evidence with regard to the guideline value/market value of the suit schedule property and mark them as exhibits on their side during trial. It is made clear in this order that the petitioners shall produce documentary evidence within a period of one (1) month from the date of receipt of a copy of this order. Failure on the part of the petitioners to produce the documentary evidence within the time stipulated by this Court as indicated above, the petitioners cannot once again seek a direction from the trial court to reopen/recall the witness once again. Further, the trial court is directed to reopen the evidence of P.W.1 only for the purpose of the petitioners producing documentary evidence to prove the guideline value/market value of the suit schedule property and liberty is also granted to the respondents to cross-examine P.W.1 with regard to the guideline value/market value of the suit schedule property, after the petitioners produce documentary evidence as directed by this Court in this order. After recording the said evidence, and after hearing the arguments of both the parties, the trial court, namely



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District Munsif Court, Kangayam, is directed to dispose of the suit in O.S.No.239 of 2020, within a period of three (3) months thereafter.

11. In the result, C.R.P.No.3884 of 2026 is dismissed and C.R.P.No.3931 of 2026 is disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

20-07-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
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To
The District Munsif Court,
Kangayam.



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ABDUL QUDDHOSE J.

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