



CRP Nos. 4626 of 2025 & 3251 of 2026

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-07-2026

CORAM

THE HON'BLE MR JUSTICE ABDUL QUDDHOSE

CRP No. 4626 of 2025 & 3251 of 2026

and

CMP Nos.23344 & 26514 of 2025 and 14144 of 2026

K.M.G.Hasan Abdul Cader

..Petitioner in both petitions

Vs

Mumtaz Banu

..Respondent in both petitions

Prayer in C.R.P.No.4626 of 2025 : Civil Revision Petition is filed under Article 227 of Constitution of India, praying to Set Aside the Impugned Order dated 28.08.2025 passed in I.A.No.3/2025 in O.S.No.5758/2023 on the file of XII Assistant City Civil Court at Chennai.

Prayer in C.R.P.No.3251 of 2026 : Civil Revision Petition is filed under Article 227 of Constitution of India, praying to call for the Impugned Order dated 30.04.2026 passed in I.A.No.4/2025 in O.S.No.5758/2023 on the file of XII Assistant City Civil Court, Chennai and to set aside the same.

For Petitioner:
(in both petitions)

Mr.S.Veeraraghavan



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For Respondent:
(in both petitions)

Mr.H.Syed Alim

COMMON ORDER

C.R.P.No.4626 of 2025 has been filed challenging the impugned order, dated 28.08.2025 passed in I.A.No.3 of 2025 in O.S.No.5758 of 2023 on the file of the XII Assistant City Civil Court, Chennai. In the aforesaid order, an Advocate Commissioner has been appointed in favour of the respondent/plaintiff to note down the physical features of the suit schedule property.

2. C.R.P.No.3251 of 2026 has been filed challenging the impugned order, dated 30.04.2026 passed in I.A.No.4 of 2025 in O.S.No.5758 of 2023 on the file of the XII Assistant City Civil Court, Chennai. In the aforesaid order, the application filed by the respondent/plaintiff seeking amendment of the pleadings and prayer in the plaint of the said suit has been allowed.



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3. Since the aforesaid revisions have been filed in respect of the very same suit, this Court is disposing of both the revisions through a common order.

4. At the outset, learned counsel for the respondent, on instructions, would submit that, subsequent to the allowing of the amendment application filed by the respondent in I.A.No.4 of 2025 in O.S.No.5758 of 2023, amendment has already been carried out in the plaint filed in O.S.No.5758 of 2023. Therefore, he would submit that nothing survives for further adjudication in C.R.P.No.3251 of 2026. The fact that amendment has already been carried out has also not been disputed by the learned counsel for the petitioner.

5. The suit has been filed for permanent injunction by the respondent/plaintiff to restrain the petitioner/defendant from interfering with the peaceful possession and enjoyment of the suit schedule property by the respondent/plaintiff. The Advocate Commissioner has been appointed by the trial court on 28.08.2025 in I.A.No.3 of 2025 in



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O.S.No.5758 of 2023 only to note down the physical features of the suit schedule property.

6. Learned counsel for the respondent would also submit that pursuant to the orders passed by the trial court appointing an Advocate Commissioner, the respondent has already paid the remuneration to the Advocate Commissioner on 15.09.2025 itself. The said fact has also not been disputed by the learned counsel for the petitioner.

7. In view of the above reasons, the question of interfering with the impugned orders which are the subject matters of these revisions by this Court at this stage does not arise. When the amendment has already been carried out pursuant to the order of the trial court and an Advocate Commissioner has been appointed just to note down the physical features of the suit schedule property, the question of interfering with the impugned orders does not arise. The suit is in the trial stage. Due to the pendency of these revisions, the suit proceedings has got delayed.



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

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

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To

The XII Assistant City Civil Court, Chennai.



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ABDUL QUDDHOSE J.

sp

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