



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-06-2026

CORAM

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

**CRP No. 2074 of 2026
and CMP No.9301 of 2026**

1. Nagappan
S/o.Thennappa Chettiar, No.206/B, Nethaji
Road, Manjakuppam, Cuddalore

Petitioner(s)

Vs

1. Rukmani
W/o.Gurudoss, No.41-C, Muthumani
Taown, Senthanneerpuram, Trichy

2.Saratha
W/o Lakshmi Narayanan No. 13, State
Bank Colony Vandipalayam Road,
Cuddalore

3.Samundeswari
W/o. Srinivasan No.11, Bycrofts Road
Triplicane, Madras

4.R.Venugopal
S/o. V.N.Radhakrishna Reddiar No. 206,
Nethaji Road Manjakuppam, Cuddalore

5.R.Natarajan
S/o. V.N.Radhakrishna Reddiar No. 206,
Nethaji Road Manjakuppam, Cuddalore

6.R.Vaithilingam
S/o. V.N.Radhakrishna Reddiar No. 200,
Nethaji Road Manjakuppam, Cuddalore

7.R.Balaraman



S/o. V.N.Radhakrishna Reddiar No. 206,
Nethaji Road Manjakuppam, Cuddalore

8.R.Varadharajan

S/o. V.N.Radhakrishna Reddiar No. 206,
Nethaji Road Manjakuppam, Cuddalore

9.B.Varalakshmi

W/o. Baluchamy No. LL3, Lyoyds Colony
Madras 14

10.R.Nageswari

W/o. Rajasekaran No. 15, S.S.Sahib Street
Aminjikarai Madras

11.R.Nagalakshmi

W/o. G.Radhakrishnan No. 71, Natesan
Nagar 3rd Cross Street Pondicherry

12.R.Subramanian

S/o. V.N.Radhakrishna Reddiar No. 73,
Lawrance Road Cuddalore

13.R.Dulasilakshmi

W/o. Subramanian No. 7, Nepali Street,
Villupuram

14.R.Narayanamoorthy

S/o. Radhakrishna Reddiar No. 205, Nethaji
Road, Cuddalore

Respondent(s)

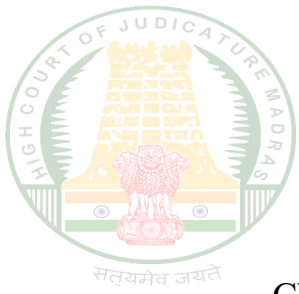
Civil Revision Petition filed under Article 227 of Constitution of India to set aside the fair and decretal order dated 31.10.2025 passed in I.A.No.417 of 2024 in I.A.No.292 of 2018 in O.S.No.212 of 1990 on the file of Principal District Munsif, Cuddalore.

For Petitioner(s): D.Baskar

For Respondent(s): M/s.T.S.Baskaran

For R.1

R.2 to R.14 – Batta due



ORDER

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Challenging the impugned order passed by the trial Court in I.A.No.417 of 2024 in I.A.No.292 of 2018 in O.S.No.212 of 1990, the 14th defendant has preferred the above revision.

2. Learned counsel for the revision petitioner/14th defendant submits that the trial Court while passing the order, has not considered the objections raised on his side and also failed to take note of the fact that the revision petitioner purchased 855 sq.ft from some of the defendants and therefore he is entitled to get the said property by equity. Learned counsel further submits that the trial Court, while passing the final decree, without considering his objections, directed the Commissioner to value the property, which is erroneous and liable to be set aside,

3. The other respondents remained exparte even before the trial Court.

4. Learned counsel for the first respondent submits that it is an admitted fact that the revision petitioner/14th defendant has purchased 855 sq.ft from some of the defendants. Learned counsel further submits that this Court confirmed the petitioner's right to equity and directed the property purchased by this petitioner to be allotted to the share of the defendants 1 to 6, 11 and 13 and in turn, allot the same to this petitioner in



the final decree proceedings. The trial Court found that the value of the property is just and necessary and accordingly, a Commissioner is appointed and further submits that the order passed by the trial court does not warrant any interference and further submits that the order passed by this Court is liable to be dismissed.

5. Heard both sides and perused the materials available on record.

6. The 8th defendant filed an application in I.A.No.292 of 2018 to appoint an Advocate Commissioner to value the properties and sell it in public auction and allot 1/14th share of the sale proceeds. The trial court considered the submissions made on either side and held that in order to give effect to the preliminary decree and to divide the petition property into 14 equal shares, it is necessary to inspect the petition mentioned property and prepare a proper valuation of the property. The trial Court has not given any finding with regard to the purchase made by the petitioner/14th defendant nor made any observation with regard to passing of final decree. Therefore, the objection raised by the petitioner is not sustainable.

7. In view of the above, the Advocate Commissioner, appointed by trial Court, is directed to value the property in the manner known to law within a period of eight weeks from the date of receipt of a copy of this order.



8. With the above direction, the civil revision petition is disposed of. No costs.

Consequently, connected miscellaneous petition is closed.

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03.06.2026

sr

Index:yes/no

Website:yes/no

Speaking Order/Non-speaking Order

To

The Principal District Munsif, Cuddalore



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T.V.THAMILSELVAM,
J

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