



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.03.2016

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

C.R.P(MD)No.737 of 2014 (PD)
and
M.P(MD)No.1 of 2014

Veerammal

.. Petitioner

Vs.

1. Sebasthiyan
2. The Government of Tamil Nadu
Rep. By the District Collector,
Sivagangai District.
3. The Revenue Divisional Officer,
Revenue Divisional Office,
Ramanagar,
Devakottai.
4. The Tahsildar,
Taluk Office,
Ramnagar,
Devakottai.

.. Respondents

PRAYER: Civil Revision Petition is filed, under Article 227 of Constitution of India, to set aside the fair and decreetal order passed in I.A.No.113(a) of 2012 in O.S.No.54 of 2012, on the file of the District Munsif Court, Devakottai, dated 04.11.2013 and to allow this Civil Revision Petition.

For Petitioners : MrS.Muthukumar
For R1 : Mr.K.V.Govardhanan

ORDER

This Civil Revision Petition has been filed by the petitioner to set aside the fair and decreetal order passed in I.A.No.113(a) of 2012 in O.S.No.54 of 2012, on the file of the District Munsif Court, Devakottai, dated 04.11.2013 and to allow this Civil Revision Petition.

2. The petitioner, who is the plaintiff, filed the suit in O.S.No.54 of 2012, on the file of the District Munsif, Devakottai for declaration and injunction. The respondent disputed the claim of the petitioner. The petitioner filed I.A.No.113(A) of 2012 for appointment of Advocate Commissioner and to correct the old and new survey numbers. According to the petitioner, the survey numbers were wrongly mentioned, but the boundaries are correctly mentioned. The respondents resisted the same. The learned Judge dismissed the application. Against that order, the



petitioner has filed the present Civil Revision Petition.

3. I have heard the learned counsel appearing for the petitioner and the respondent and also perused the entire materials on record.

4. From the materials, it is seen that the suit filed by the petitioner for declaration and injunction based on the sale deed. It is for the petitioner to substantiate his case by oral and documentary evidence and to prove the identity of the property. The relief sought for by the petitioner for appointment of survey commission is not necessary. That will amount to collection of evidence. In the circumstances, the learned Judge has considered all these facts and dismissed the applications filed by the petitioner. There is no illegality or irregularity warranting interference by this Court.

5. In the result, the Civil Revision Petition is dismissed. No costs. Consequently, connected miscellaneous petition is dismissed.

Sd/-

Assistant Registrar (AE)

/True copy/

Sub Assistant Registrar

To
The District Munsif Court,
Devakottai.

+1 CC to M/s.S.Muthukumar, Advocate, SR No.17160

C.R.P (MD) No.737 of 2014 (PD)
24.03.2016

Am

SH/AAL-MPA:11.04.2016:2P/3C