



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.03.2022

CORAM :

THE HONOURABLE MRS.JUSTICE S.ANANTHI

C.R.P. (MD)No.1661 of 2021

and

C.M.P. (MD)No.8994 of 2021

1.Ponnuthai
2.Esakki Ammal
3.Petchimmall
4.Mariappan
5.Selvi
6.Tirupathi

...Petitioners/Petitioners/
Plaintiffs

Vs.

1.Pasupathy
2.F.Antony
3.Velraj
4.Madasamy

...Respondents/Respondents/
Defendants

PRAYER: Civil Revision Petition under Article 227 of Constitution of India, to allow this Civil Revision Petition by setting aside the Fair order and Decretal Order made in I.A.No.2 of 2020 in O.S.No.148 of 2020 dated 06.09.2021 on the file of the Sub Court, Sankarankovil.

For Petitioners :Mr.T.Arun Ganesh

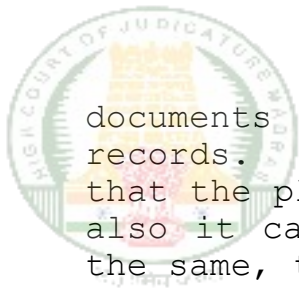
For Respondents :Mr.R.J.Karthick

ORDER

This Civil Revision Petition has been filed to set aside the order, dated 06.09.2021 in I.A.No.2 of 2020 in O.S.No.148 of 2020 passed by the learned Subordinate Judge, Sankarankovil.

2.The parties are referred to as per the rank mentioned before the Court below.

3.The plaintiffs have filed a petition in I.A.No.2 of 2020 in O.S.No.148 of 2020 on the file of the learned Subordinate Judge, Sankarankovil, for appointing advocate commissioner to note down the physical features of the suit properties on the basis of the



documents filed by both the parties without considering the revenue records. The Court below has dismissed the petition on the ground that the plaintiffs have not stated anything about the documents and also it cannot be measured without revenue records. Aggrieved over the same, the revision petitioners are before this Court.

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4.Considering the facts and circumstances of the case, it is very necessary to find out whether the land stated by the plaintiffs is acquired for National Highways or not?. Further, the Advocate commissioner is to inspect the property to note down the physical features of the suit properties with revenue records and documents filed by both the parties.

5.With these observations, this Civil Revision Petition is allowed by setting aside the order, dated 06.09.2021 in I.A.No.2 of 2020 in O.S.No.148 of 2020 passed by the learned Subordinate Judge, Sankarankovil. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-III)

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/ /2022

Sub Assistant Registrar(CS)

ksa

To

The Subordinate Judge,
Sankarankovil.

+1 CC to M/s.R.J.KARTHICK, Advocate (SR-13996[F] dated
24/03/2022)

+1 CC to M/s.M.THIRUNAVUKKARASU, Advocate (SR-14012[F] dated
24/03/2022)

C.R.P. (MD)No.1661 of 2021

23.03.2022

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