



C.R.P (MD) No.1850 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 14.09.2022

CORAM:

THE HONOURABLE MR.JUSTICE **B. PUGALENDHI**

CRP (MD) No.1850 of 2022

and

CMP (MD) No.8303 of 2022

Kumaresan (died)

1.Tamilselvi

2.Minor Vishal

3.Minor Abinavkumar

4.Minor Guruprasath

Minor petitioners 2 to 4 are
represented by their mother and
the guardian of the petitioner 1
Tamilselvi

... Petitioners

Vs

1.Boopathi

2.D.Dhanalakshmi

3.Balasubramanian

4.Palaniraj

5.Aathilakshmi

6.Baladhndayuthapani

7.Muruganantham



C.R.P (MD) No.1850 of 2022

8.Selvakumar

9.The District Collector,
Office of the District Collectorate,
Trichy Road,
Thanjavur District.

10.The Tahsildar,
Taluk Office,
Thiruvaiyaru,
Thanjavur District.

11.The Village Administrative Officer,
Village Administrative Office,
Boothalur,
Thanjavur District.

... Respondents

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the order passed in I.A.No.299 of 2022 in O.S.No.66 of 2013 dated 21.07.2022 on the file of the Additional Sub Court, Thanjavur.

For Petitioner : Mr.V.Ilanchezian
For Respondent : Mr.M.Saravanan

ORDER

This Civil Revision Petition is filed as against the order passed in I.A.No.299 of 2022 in O.S.No.66 of 2013 dated 21.07.2022 by the learned Additional Sub Judge, Thanjavur.



C.R.P (MD) No.1850 of 2022

2.The learned Counsel for the petitioner submits that the suit was filed by the respondent/plaintiffs alleging that the petitioners have encroached the suit property of the plaintiffs. Therefore, the petitioners have filed an application to inspect the properties in S.Nos.575/1B and 575/1B2 by an advocate Commissioner. The trial Court has dismissed the application mechanically.

3.The above suit was filed for declaration and injunction with regard to Survey No.575/4. The petitioner has filed the above interlocutory application to measure the property in S.Nos.575/1B and 575/1B2. The petitioner has not substantiated his plea for surveying the adjacent properties to the suit property by the advocate commissioner. Further on the application filed by the plaintiff / respondent, already the suit property was measured and report was also filed. Therefore this Court is not inclined to entertain this petition.

4.In the result this civil revision petition stands dismissed. No costs. Consequently connected miscellaneous petition also stands dismissed. Since the suit is of the



C.R.P (MD) No.1850 of 2022

year 2013, the trial Court shall dispose of the suit as expeditiously as possible.

WEB COPY

14.09.2022

dsk

To

The Additional Sub Judge,
Thanjavur.



WEB COPY



C.R.P (MD) No.1850 of 2022

B.PUGALENDHI , J.

dsk

C.R.P (MD) No.1850 of 2022

14.09.2022