



WEB COPY



C.R.P.No.265 of 2024

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED: 27.02.2024**

**CORAM**

**THE HONOURABLE MR. JUSTICE V. SIVAGNANAM**

**Civil Revision Petition No.265 of 2024**

Mrs. Selvi

...

Petitioner

Vs

1. The Tahsildar,  
Ariyalur Taluk,  
Ariyalur District.
2. The Revenue Divisional Officer,  
Ariyalur,  
Ariyalur Taluk,  
Ariyalur District.
3. The Commissioner,  
Thirumanur Panchayat Union,  
Thirumanur, Ariyalur Taluk,  
Ariyalur District.
4. The Block Development Officer,  
Thirumanur Panchayat Union,  
Thirumanur , Ariyalur Taluk,  
Ariyalur District.



C.R.P.No.265 of 2024

WEB COPY

5. The President,  
Keelapalur Village Panchayat,  
Keelapalur, Ariyalur District.

6. The District Collector,  
Ariyalur District, Ariyalur,  
Ariyalur Taluk & District

...

Respondents

**Prayer:** Civil Revision Petition has been filed under Article 227 of the Constitution of India to set-aside the order dated 20.10.2022 passed in I.A.No.3 of 2021 in O.S.No.52 of 2021 pending on the file of the Additional District Munsif Court, Ariyalur by allowing the above CRP.

For Petitioner : Mr V. Raja

For Respondents : Mr. C.Sathish,  
Government Advocate

### **ORDER**

This Civil Revision Petition has been filed to set-aside the fair and decreetal order passed by the Additional District Munsif, Ariyalur in I.A.No.3 of 2021 in O.S.No.52 of 2021 dated 20.10.2022.



C.R.P.No.265 of 2024

WEB COPY

2. The petitioner/plaintiff had filed a suit in O.S.No.52 of 2021, against the respondents/defendants for declaration of title of the plaintiff over the suit property and for permanent injunction restraining the defendants in any manner interfering with her peaceful possession and enjoyment over the suit schedule property, in which, the petitioner/plaintiff had filed an application in I.A.No.3 of 2021 for appointment of Advocate Commissioner to inspect the existing physical features of the suit property, which was declined by the Trial Court and dismissed the same on 20.10.2022. Aggrieved over the same, the present revision has been filed.

3. The learned counsel for the petitioner submitted that there was a old house, which was demolished by the petitioner for constructing a new building and now, it is a vacant site. The electricity service connection also stands in the name of her father. Under these circumstances in order to note down the physical features, appointment of Advocate Commissioner is necessary and hence, it has to be set aside and thus pleaded to allow the revision.



C.R.P.No.265 of 2024

WEB COPY

4. I have considered the submission made by the learned counsel for the petitioner and perused the materials available on records carefully.

5. The petitioner herein had filed a suit in O.S.No.52 of 2021 before the Additional District Munsif Court, Ariyalur for declaration and permanent injunction. In the said suit, she had filed an application in I.A.No.3 of 2021 for appointment of Advocate Commissioner to inspect the existing physical features of the property and the same was dismissed by the Trial Court vide order dated 20.10.2022, against which, the present revision has been filed.

6. On perusal of records, the fact reveals that the revision petitioner/plaintiff had filed the suit against the Tahsildar, the Revenue Divisional Officer & District Collector of Ariyalur and the Commissioner & the Block Development Officer of Thirumanur with the prayer to declare the right and title of the plaintiff over the suit schedule property in Survey No.273/2 in Keelapalur Village, Ariyalur Taluk. It is not in dispute that the plaint schedule property is vacant and the suit property as described in the



C.R.P.No.265 of 2024

WEB COPY

plaint also is mentioned that it is a vacant site measuring East West 9 meters and north south 3 meters. Being a suit for declaration of title of the property, appointment of advocate commissioner to note down the physical features of the property is not necessary. Hence, the Trial Court rightly dismissed the application and there is no irregularity or illegality in the impugned order and there is no ground for interference and I find no merit in this revision.

7. Accordingly, this Civil Revision Petition is dismissed. No costs.

**27.02.2024**

Index: yes/no  
Internet:yes/no  
mrp

To

The Additional Disltrict Munsif Court,  
Ariyalur



WEB COPY



C.R.P.No.265 of 2024

**V. SIVAGNANAM, J.**

mrp

**C.R.P.No.265 of 2024**

**27.02.2024**