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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.08.2025

CORAM

THE HONOURABLE MR JUSTICE P.B. BALAJI

CRP.No.2413 of 2025

& CMP.No.13885 of 2025

Chandramohan

... Petitioner

Vs.

1.Jothilingam

2.The District Collector,
Cuddalore District.

3.The Tahsildar,
Kurinjipadi Taluk,
Cuddalore District.

4.The Sub-Registrar,
Vadalur, Kurinjipadi Taluk,
Cuddalore District.

5.The Village Administrative Officer,
Parvathipuram, Kurinjipadi Taluk,
Cuddalore District.

6.The Land Surveyor,
Parvathipuram, Kurinjipadi Taluk,
Cuddalore District.

... Respondents



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Prayer: Civil Revision Petition filed under Article 227 of Constitution of India, to set aside the impugned fair and decreetal order dated 30.04.2025 made in I.A.No.120 of 2024 in O.S.No.42 of 2024 on the file of the District Munsif cum Judicial Magistrate, Kurinjipadi by allowing the revision.

For Petitioner : Mr.G.Balamanikandan

For Respondents : Mr.L.Palanimuthu for R1
Mr.N.Muthuvel
Government Advocate for RR2 to 6

ORDER

This revision has been filed to set aside the order dated 30.04.2025 made in I.A.No.120 of 2024 in O.S.No.42 of 2024 on the file of the District Munsif cum Judicial Magistrate, Kurinjipadi.

2.Heard Mr.G.Balamanikandan, learned counsel for the petitioner, Mr.L.Palanimuthu, learned counsel for the 1st respondent and Mr.N.Muthuvel, learned Government Advocate for the respondents 2 to 6.



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3.The challenge is to the docket order dated 30.04.2025 on the file of the District Minsif cum Judicial Magistrate, Kurinkipadi, appointing an Advocate commissioner.

4.The revision petitioner states that no reasons have been assigned by the Trial Court for necessitating appointment of an Advocate Commissioner. The learned counsel for the 1st respondent would however, state that there is inconsistency in the written statement filed by the Tahsildar and only in view of the same, the application for appointment of Advocate Commissioner was necessitated and rightly taken out.

5.However, considering that the Trial Court has not passed a reasoned order and has straight away appointed the Advocate Commissioner as requested by the 1st respondent/plaintiff, I am inclined to remit the matter to the District Munsif cum Judicial Magistrate, Kurinjipadi, to hear both the parties and pass a considered order, whether necessity of appointment of Advocate Commissioner is warranted in the facts of the case or not. The application shall be decided within a period of four weeks from the date of receipt of a copy of this order.



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6. With the above direction, the Civil Revision Petition is disposed of.

There shall be no order as to costs. Connected Civil Miscellaneous Petition is closed.

18.08.2025

Speaking/Non-speaking : Yes/No

Index : Yes / No

Internet : Yes / No

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To

1.The District Munsif cum Judicial Magistrate, Kurinjiyadi.

2.The District Collector,
Cuddalore District.

3.The Tahsildar,
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Cuddalore District.

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P.B. BALAJI,J.

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