



C.R.P.No. 5707 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.11.2025

CORAM :

THE HONOURABLE MR.JUSTICE S. SOUNTHAR

C.R.P.No. 5707 of 2025
and
C.M.P.No. 28449 of 2025

N.Rajamanickam

.. Petitioner

vs

K.S.R.C.Kuppusamy

.. Respondent

Prayer : Petition filed under Section 25 of the Tamil Nadu Buildings (Lease and Rent Control) Act, 1960 against the order and decree dated 26.08.2025 made in I.A.No. 33 of 2021 in RCA No. 2 of 2019 on the file of the Subordinate Judge, Panruti.

For Petitioner : Mr.D.Ravichander

For Respondents : Mr.B.Sundarapandiyan

ORDER

The Civil Revision Petition is filed challenging the order passed by the Rent Control Appellate Authority dismissing the application filed by the petitioner seeking appointment of Advocate Commissioner.

2. The respondent herein filed RCOP on the ground of wilful default. The eviction petition was ordered by the Rent Controller. Aggrieved by the same, the petitioner filed Rent Control



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Appeal. Pending said appeal, the instant application has been filed seeking appointment of Advocate Commissioner on the ground that the property has not been properly described in the main petition. The said application is dismissed by the appellate authority. Aggrieved by the same, the present petition is filed.

3. The learned counsel appearing for the petitioner would submit that demised property has not been properly described in the revision petition. Therefore, the appointment of Advocate Commissioner is absolutely necessary. The appellate authority without appreciating the necessity for appointment of Advocate Commissioner, erroneously dismissed the same.

4. It is seen from the description of the property found in the original petition, the demised property has been described with door number, road name, property tax number, ward number, etc. Apart from these details, the four boundaries of the property are also mentioned. The petitioner / tenant sought for appointment of Advocate Commissioner only on the ground that the boundaries extent and survey numbers of the property mentioned in the main OP are not correct.



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5. The respondent herein filed counter admitting that the boundaries description was wrongly mentioned as south of Cuddalore road instead north of Cuddalore road and the same is only a typographical error. The mis-description in the main OP has been considered by the Court below and it was observed that the demised property can be identified with the survey number and the door number. Therefore, the mis-description in the boundaries may not affect identity of demised property.

6. The eviction is sought for only in respect of the property that can be easily identified with reference to the door number and the road name. In such circumstances, the error in the boundaries will not materially affect the case of the petitioner on merits. Therefore, I do not find any error in the impugned order passed by the Rent Controller Appellate Authority.

7. Accordingly, the Civil Revision Petition is dismissed. No costs. Connected miscellaneous petition is closed.

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Index:Yes/No
Neutral Citation:Yes/No
ssm



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S. SOUNTHAR,J.,

ssm

To

The Subordinate Judge,
Panruti.

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