



WEB COPY



CRP.No.5463 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.11.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

CRP.No.5463 of 2025 and
CMP.No.27491 and 27493 of 2025

Mr.Gajendrakumar @ Chandran

... Petitioner

Vs.

1. Mrs.Latha

2. Mrs.Bhuvaneshwari @ Pavithra

...Respondents

PRAYER :Civil Revision Petition filed Article 227 of Constitution of India, praying, to call for the records and set aside the order dated 03.07.2025 passed in I.A.No.6 of 2024 in O.S.No.5 of 2021 on the file of the District Munsif Court, Coonoor, The Nilgiris and allow the IA.No.6 of 2024 and pass a judgment on admissions under Order XII Rule 6 CPC decreeing the suit for permanent injunction in favour of the petitioner to the extent of restraining the respondents, their men, agents,servants or anyone claiming under them from interfering with the petitioner's peaceful possession and enjoyment of the property measuring 1308 Sq.ft in T.S.No.C/2/198/1A1 within the boundaries admitted in the written statement; or in the alternative, remand the I.A for



reconsideration with a direction to pass a partial decree on the admitted title/boundaries and proceed to trial on the limited residual issues.

WEB COPY

For Petitioner

: M/s.RKSM. Aditya Chokkanadhan

ORDER

The Civil Revision Petition is filed challenging the order passed by the Trial Court dismissing the application filed by the petitioner seeking judgment on admissions.

2. The petitioner herein filed a suit for bare injunction against the respondents based on sale deed executed by respondents dated 30.04.2014 and undertaking letter allegedly executed by them dated 15.04.2015.

3. According to the petitioner/plaintiff, the respondents executed a sale deed dated 30.04.2014 conveying property with an extent of 1308 sq.ft. However, after measurement, it was found that there was a shortage of 120 Sq.feet. Therefore, the respondents subsequently executed undertaking letter allotting 120 Sq.feet of land. Thereafter, the respondents attempted to encroach the above said land illegally and tried to put demarcation stones by encroaching the property in possession of the plaintiff. Hence, the instant suit was filed.



4. The defendants filed a written statement admitting execution of sale deed in favour of petitioner. However, they denied execution of undertaking letter giving alternative land to the plaintiff with extent of 120 Sq. feet of land.

5. A perusal of the pleadings of the parties would make it clear that there is a serious dispute between them regarding the extent conveyed to the plaintiff under the sale deed executed by the defendants. Merely because the defendants in their written statement admitted the execution of sale deed in favour of the plaintiff, a decree for injunction cannot be passed as prayed for unless the extent of the property covered by the sale deed is established. The plaintiff in his plaint averment clearly admitted that there was a shortage of 120 square feet of land conveyed under the sale deed. According to the plaintiff that the defendants executed undertaking letter allotting alternative land with an extent of 120 square feet. The allotment of alternative land with an extent of 120 Sq. feet is denied by the defendants.

6. In view of the serious dispute with regard to the extent of land conveyed under registered sale deed, I do not think that this is a fit case where the judgment on admissions can be passed. The trial court has rightly appreciated the pleadings of the parties and dismissed the application. I do not



CRP.No.5463 of 2025

find any error in the impugned order passed by the Trial Court. Accordingly, the civil revision petition stands dismissed. No costs. Consequently, the connected miscellaneous petitions are closed.

07.11.2025

Index : Yes / No
Internet : Yes / No
nr

To

The District Munsif Court, Coonoor, The Nilgiris.



WEB COPY



CRP.No.5463 of 2025

S.SOUNTHAR, J.

nr

CRP.No.5463 of 2025 and
CMP.No.27491 and 27493 of 2025

07.11.2025