

C.R.P.(MD)No.1468 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.07.2025

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THE HON'BLE MR. JUSTICE M.DHANDAPANI

C.R.P.[PD].(MD)No.1468 of 2022

and

C.M.P(MD)No.6079 of 2022

V.R.Venkatesh

...Petitioner

Vs.

1.V.Gunasekaran
2.R.Prakash
3.K.R.Ragusunthat
4.The Sub-Registrar,
Karur West,
SRO Government Hospital Road,
Karur District-639 001.

5.The District Registrar,
District Registrar Office,
District Collector Campus,
Thanthonimalai,
Karur-639 007.

...Respondents

PRAYER : Civil Revision Petition is filed under Article 227 of Constitution of India, to allow the Civil Revision Petition and call for the records and set aside the order dated 08.01.2021 in I.A.No.1237 of 2017 in O.S.No.20 of 2017 passed by the learned Additional District Munsif, Karur.



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For Petitioner : Mr.V.Sukumar

For R1 & R2 : No appearance

For R3 : Mr.V.Balaji

For R4 & R5 : Mr.B.Saravanan

Additional Government Pleader

ORDER

This petition has been filed seeking to set aside the order dated 08.01.2021 made in I.A.No.1237 of 2017 in O.S.No.20 of 2017 passed by the learned Additional District Munsif, Karur.

2. The petitioner is the plaintiff in O.S.No.20 of 2017. He filed a suit for declaration and permanent injunction. In the original suit, the petitioner filed I.A.No.83 of 2017 for appointment of Advocate Commissioner to measure the property with the help of surveyor. The said petition was allowed and the Advocate Commissioner was appointed and the Advocate Commissioner measured the property and filed a report before the trial Court. However, the report is contrary to the document which was possessed by the petitioner. Therefore, the petitioner filed another I.A.No.1237 of 2017 seeking to re-issue the commission warrant directed the Advocate Commissioner to measure the entire property covered in S.F.No.172/A1B1 of Karuppampalayam Village, Manmangalam Taluk and identify the extent which has been in possession and



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enjoyment of the plaintiff and defendants respectively with the help of surveyor and Village Administrative Officer. The said petition was dismissed by the trial Court on 08.01.2021. Challenging the same present Civil Revision Petition has been filed.

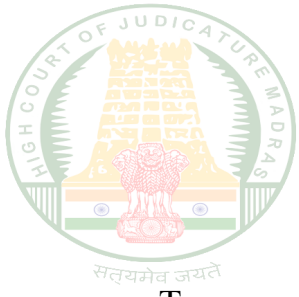
3. The learned counsel for the petitioner would submit that this Court may permit the petitioner to raise the objections before the trial Court as against the Commissioner's report and may direct the trial Court to consider the objections filed by the petitioner.

4. The learned counsel appearing for the respondents have no serious objections.

5. Considering the request made by the petitioner, this Civil Revision Petition is dismissed with liberty to the petitioner to file a petition before the trial Court by raising the objections as against the Commissioner's report. No costs. Consequently, connected miscellaneous petition is closed.

15.07.2025

Internet: Yes/No
Index: Yes/No
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To
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- 1.The Additional District Munsif, Karur.
- 2.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI, J.

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