



C.R.P.(MD).No.3351 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 13.11.2025

CORAM :

THE HONOURABLE MR. JUSTICE K.KUMARESH BABU

C.R.P.(MD).No.3351 of 2025

and

C.M.P(MD)No.18342 of 2025

1. P.Velusamy

2. R. Periyamayagi

...Petitioners/Petitioners/Plaintiffs

-Vs-

T.Murugesan

...Respondent/Respondent/Defendant

Prayer : Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the fair and decreetal orders made in I.A.No 17 of 2025 in O.S.No.7 of 2025 on the file of District Munsif Cum Judicial Magistrate, Alangudi, dated 19.8.2025 and the civil revision petition to be allowed.

For petitioners

: M/s.N.Kamesh

ORDER

This Civil Revision Petition is filed to set aside the fair and decreetal orders made in I.A.No 17 of 2025 in O.S.No.7 of 2025 on the file of District



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Munsif Cum Judicial Magistrate, Alangudi, dated 19.8.2025 and the civil revision petition to be allowed.

2. Learned counsel for the petitioner would submit that the petitioners had instituted a suit seeking for a decree of permanent injunction against the respondent in respect of the suit A schedule property. B schedule is a public Road and the respondent has been continuously causing obstruction and entry of the same to use the said pathway. An interlocutory application was taken out by the petitioners for appointment of an advocate commissioner to inspect the suit property and to note down the physical feature of the suit property. The same had been dismissed by the Court below holding that by oral and documentary evidences, the petitioners can prove his title to A schedule property and existence of pathway in B schedule and cannot be permitted to collect evidence by appointment of an advocate commissioner.

3. This Court finds no infirmity in the order impugned in this Civil Revision Petition, as the Court below had rightly held that an advocate commissioner cannot be permitted for collection of evidence.



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4. For the aforesaid reasons, I do not find any merits in this Civil Revision Petition. Accordingly, this Civil Revision Petition is dismissed. No costs. Consequently, connected miscellaneous petition is also closed.

13.11.2025

Index : Yes/No
Speaking/Non-Speaking order
Neutral Citation : Yes/No

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To

1.The District Munsif Cum Judicial Magistrate,
Alangudi.

2. The Section Officer, VR Section,
Madurai Bench of Madras High Court,
Madurai.



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K.KUMARESH BABU.J.

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