



CRP(MD). No.2935 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 16.10.2025

CORAM

THE HONOURABLE MR. JUSTICE K.KUMARESH BABU

**CRP(MD). No.2935 of 2025
and
CMP(MD)No.16739 of 2025**

1.Rajee

2.Ramakrishnan

3.Selvi @ Selvanayagi

... Petitioners

Vs.

1.The Village Administrative Officer,
Muthanayakkanpatti Village,
Palani Taluk, Dindigul District.

2.The Sub-Collector,
Palani, Palani Taluk,
Dindigul District.

3.The Block Development Officer,
Thoppampatti Panchayat,
Thoppampatti Village,
Palani Taluk, Dindigul District.

4.The District Collector,
Dindigul District, Dindigul.

5.Venkidasamy

1/6



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6.Selvaraju

7.S.Senthilkumar

8.K.Marimuthu

... Respondents

PRAYER :- Civil Revision Petition filed under Article 227 of The Constitution of India, against the order dated 05.06.2025 passed in I.A.No.4 of 2025 in O.S.No.155 of 2019 on the file of the learned Principal Sub Court, Palani, Dindigul District.

For Petitioner : Mr.B.Rajesh Saravanan

For Respondents : Mrs.P.B.Ahamed Yashmin Parvin G.A.
For official respondents

ORDER

This Civil Revision Petition had been filed against the order dated 05.06.2025 passed in I.A.No.4 of 2025 in O.S.No.155 of 2019 on the file of the learned Principal Sub Court, Palani, Dindigul District.

2.Mr.B.Rajesh Saravanan, learned counsel for the petitioner would submit that the petitioner had instituted a suit against the respondents for a declaration and permanent injunction. He had also taken out an application for appointment of an Advocate Commissioner for the survey



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of the land with the help of a Surveyor to note down the physical features. He would submit that the Court below without considering the rightful claim of the petitioner had dismissed the petition.

3. He would submit that it is necessary for appointment of an Advocate Commissioner to note down the features and also to identify as to whether any pathway is available in the suit scheduled property. Rejection of the said application causes great prejudice to him and therefore, he seeks indulgence of this Court to the order impugned in this Civil Revision Petition.

4. I have considered the submissions made by the learned counsel for the petitioner and perused the materials available on record.

5. The petitioner had instituted the suit seeking for declaration of title with regard to the suit scheduled property and also for an injunction restraining the respondent from interfering with his peaceful possession of the property including forming a pathway and also restraining them from measuring the suit scheduled property. Having prayed for such a



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relief, the petitioner has now attempted to file an application for appointment of an Advocate Commissioner to measure the suit property along with the help of a Surveyor, apart from also identifying a pathway which is available in the suit scheduled property. The Court below had rightly held that to substantiate the claim of the petitioner, who is the plaintiff in the suit, he had to produce documentary evidences to prove his title and possession to seek his relief and the same cannot be sought to be driven home by collecting evidence by appointment of an Advocate Commissioner.

6. This Court do not find any infirmity in the order impugned in this Revision and accordingly, the Civil Revision Petition stands dismissed. However, there shall be no order as to costs. Consequently connected Miscellaneous Petition is also closed.

16.10.2025

Index : Yes/No
Internet : Yes/No
NCC : Yes/ No
GBA



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TO

- 1.The Sub-Collector,
Palani, Palani Taluk,
Dindigul District.
- 2.The Block Development Officer,
Thoppampatti Panchayat,
Thoppampatti Village,
Palani Taluk, Dindigul District.
- 3.The District Collector,
Dindigul District, Dindigul.
- 4.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.
- 5.Principal Sub Court, Palani, Dindigul District.



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K.KUMARESH BABU,J.

Gba

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