



CRP(MD). No.3095 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 29.10.2025

CORAM

THE HONOURABLE MR. JUSTICE K.KUMARESH BABU

CRP(MD). No.3095 of 2025

and

CMP(MD)No.17347 of 2025

Govindhan (Died)

1.Muthammal

2.Murugeswari

3.Chitra

4.Rathinakumar @ Rathinavel

... Petitioners

Vs.

K.P.Natarajan

... Respondent

PRAYER :- Civil Revision Petition filed under Article 227 of The Constitution of India, seeking to set aside the order dated 27.06.2025 made in I.A.No.03 of 2025 in A.S.No.15 of 2021 on the file of the Sub Court, Vedasandur.

For Petitioner : Mr.S.Sankar

For Respondent : Mr.C.Narendren



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ORDER

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This Civil Revision Petition had been filed seeking to set aside the order dated 27.06.2025 made in I.A.No.03 of 2025 in A.S.No.15 of 2021 on the file of the Sub Court, Veda sandur.

2.Heard Mr.S.Sankar, learned counsel appearing for the petitioners and Mr.C.Narendren, learned counsel appearing for the respondent.

3. The learned counsel for the petitioners would submit that the respondent herein had filed a suit for declaration and for a permanent injunction restraining the suit mentioned property to be 50 cents. The said suit was decreed against which the petitioners have preferred an appeal suit in A.S.No.15 of 2001. In the said appeal, the petitioner had preferred an application for appointment of Advocate Commissioner by contending that the suit scheduled property measures only an extent of 26 cents which was given by way of partition to the respondent. However, at the instance of the respondent in the partition deed, the property had been mentioned as 50 cents instead of 26 cents.

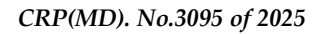


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4. He would submit that the suit scheduled property belong to a larger extent of land from which the father of the petitioners was allotted only 26 cents. Taking advantage of the absence of four boundaries, the respondent falsely mentioned the four boundaries in the suit which would affect the right of other co-owners and other land owners of the larger extent of the property. These aspects had not been considered by the Trial Court and the application had been dismissed by holding that the petitioners have not moved the Trial Court for any such relief and at this present stage, the said application cannot be maintainable. He would submit that such a finding is contrary to the facts and it would only create multiplicity of proceedings. Therefore, he prays this Court to set aside the order impugned and direct appointment of Advocate Commissioner.

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

6. It is true that the respondent had shown in the suit scheduled property the four boundaries. The petitioners have also contested the same by filing a written statement that the petitioners' father has a right to



7. For the aforesaid reasons, I do not find any infirmity in the signed order and accordingly, the Civil Revision Petition is dismissed. However, there shall be no order as to costs. Consequently, the affected Miscellaneous Petition is also closed.

29.10.2025

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



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- 1.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.
- 2.The Sub Court, Vendasandur.



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K.KUMARESH BABU,J.

Gba

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