



CRP(MD). No.3665 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 03.12.2025

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THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

CRP(MD). No.3665 of 2025

and

CMP(MD) No.19398 of 2025

1.Vijayarani

2.Poornam

3.Panneer

... Petitioners

Vs

1.Vathiyalingam

2.Murugan

3.The Panchayat President
Seranthmaangalam Panchayat
Thirumalapuram
Sankarakovil Taluk
Tenkasi District.

... Respondents

PRAYER :-Civil Revision Petition filed under Article 227 of the Constitution of India, to call for records pertain to the impugned fair and decreetal order dated 07.10.2025 passed by the Additional District Munsif Court, Sankarakovil in I.A. No.9/2025 in O.S. NO.87/2014 and set aside the same as illegal.



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CRP(MD). No.3665 of 2025

For Petitioner : Mr.T.Indrachithu

ORDER

This Civil Revision Petition has been filed challenging the order passed by the learned Additional District Munsif, Sankarakovil. in I.A.No.9 of 2025 in O.S.No.87 of 2014, dated 07.10.2025.

2.The petitioners/plaintiffs have filed a suit in O.S.No.87 of 2014 before the Additional District Munsif Court, Sankarankovil, for declaration, permanent injunction and mandatory injunction. In the said suit, the petitioners filed I.A.No.9 of 2025 for re-opening their side. The purpose of IA is to scrap the report and sketch of the Advocate Commissioner, who was appointed in I.A.No.429 of 2014. The said IA had been dismissed. Questioning the same, the present Civil Revision Petition came to be filed.

3.The learned counsel for the petitioners reiterated all the contentions set out in the memorandum of Civil Revision Petition and called upon this Court to set aside the impugned order and grant relief as prayed for.



CRP(MD). No.3665 of 2025

WEB COPY

4. Heard the learned counsel for the petitioners.

5. Admittedly, pending the suit, an Advocate Commissioner had been appointed in I.A.No.429 of 2014 to inspect the property and to file a report along with sketch. In compliance of the same, the Advocate Commissioner had inspected the property and filed a report along with sketch. The petitioners/plaintiffs have filed an application in I.A.No.6 of 2023 for reopening the case, reissuing the Advocate Commissioner's appointment, or in the alternative, appointing a new Advocate Commissioner. The above application has been dismissed by the Trial Court.

6. Challenging the same, the petitioners/plaintiffs have filed CRP(MD) No.2466 of 2024 before this Court and this Court, vide order dated 13.11.2024, had disposed of the said Civil Revision Petition, granting liberty to the petitioners/plaintiffs to file objections to the report of the Advocate Commissioner or to file an application to scrap the same, which would be considered by the trial Court after conducting an enquiry



CRP(MD). No.3665 of 2025

with regard to the report filed by the Advocate Commissioner. In compliance of the order passed by this Court, dated 13.11.2024, objections were made by the petitioners/plaintiffs on 09.12.2024 to the report filed by the Advocate Commissioner and again, an application in I.A.No.9 of 2025 had also been filed by the petitioners to scrap the report as well as the sketch filed by the Advocate Commissioner. Considering all those aspects, the trial Court came to the conclusion that the prayer in I.A.No.9 of 2025 to scrap the report and sketch filed by the Advocate Commissioner is not acceptable. The reasons given by the Court below are sound and this Court also do not find any illegality or infirmity in the order impugned.

7. Accordingly, this Civil Revision Petition stands dismissed. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is also closed.

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No

03.12.2025

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CRP(MD). No.3665 of 2025

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The Additional District Munsif, Sankarakovil



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CRP(MD). No.3665 of 2025

N.SENTHILKUMAR, J.

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CRP(MD). No.3665 of 2025

03.12.2025