



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-06-2026

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THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE

CRP No. 2058 of 2025

AND

CMP NO. 11983 OF 2025

1. Bakkiam

2. Revathi

3. Manjula

Petitioner(s)

Vs

1. Subramanian

Respondent(s)

PRAYER

Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the Docket order dated 23.01.2025 passed in IA No. 3 of 2025 in OS No. 21 of 2025 on the file of Principal District Munsif Court, Attur and allow the above CRP.

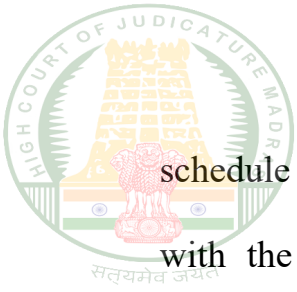
For Petitioner(s): Mr.R.Nalliyappan

For Respondent(s): Mr.P.K.Shiva Kumar

ORDER

This Civil Revision Petition has been filed, challenging the impugned order dated 23.01.2025 passed by the Principal District Munsif Court, Attur

2. Under the aforesaid order, an advocate commissioner has been appointed by the Trial Court to note down the physical features of the suit



schedule property and measure the four boundaries of the suit schedule property with the help of a qualified land surveyor as per the registered Revenue documents and thereafter, file a report to the Trial Court.

3. The contention of the petitioners is that the impugned order is a non speaking order and has not considered the objections raised by the petitioners through their counter filed in I.A.No.3 of 2025. The petitioners are the defendants in the suit.

4. The suit was filed for bare injunction to restrain the petitioners from interfering with the respondent's physical possession and enjoyment of the suit schedule property. The petitioners also contend that there is no necessity for the Trial Court to appoint an advocate commissioner in a bare injunction suit filed by the respondent.

5. The impugned order in no way affects the rights of the petitioners, who are the defendants in the suit, to contest the suit on merits and in accordance with law. Under the impugned order, an advocate commissioner has been appointed only to note down the physical features of the suit schedule property and to measure the same with the help of a qualified land surveyor. Once the advocate commissioner appointed by the Trial Court files his report, the petitioners always have got the right to raise all objections with regard to the



said report by filing objections to the commissioner's report and the petitioners are also having the right to cross examine the advocate commissioner during Trial.

6. Though the contentions of the petitioners as raised in the counter filed by them in I.A. No.3 of 2025 have not been considered by the Trial Court, that cannot be a ground for this Court to interfere with the impugned order that too when the impugned order will not affect the rights of the petitioners, who always have got the right to file objections to the advocate commissioner's report and they also got the right to cross examine the advocate commissioner.

7. For the foregoing reasons, this Court is not interfering with the impugned order. Accordingly, this civil revision petition is dismissed. No Costs. Consequently, connected miscellaneous petition is closed.

16-06-2026

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To

1. The Principal District Munsif Court, Attur.
2. The Section Officer, V.R. Section, Madras High Court.



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ABDUL QUDDHOSE J.

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