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Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-11-2026

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THE HON'BLE MR JUSTICE N. ANAND VENKATESH

Civil Revision Petition No.7181 of 2026
and
C.M.P.No.30977 of 2026

Case QR

CNR: {HCMA012494452026}

B.M.Chennaiyan
S/o.B.R.Munusamy
represented by his GPA Agent Vedi
Chinna Bargur Taluk,
8th Cross Street, Jakkappan Nagar,
Krishnagiri District - 635 001.

..Petitioner

Vs

1. B.M.Manjunathan
   S/o.B.R.Munusamy

   A.M.Raguram Chetti (died)

   Girija (Died)

2. Sathish
   S/o.A.M.Raguram Chetti

3. Vijayakumar
   S/o.Muninarayana Chetti

..Respondents

Civil Revision Petition filed under Article 227 of the Constitution of India against the order dated 22.07.2026 passed in I.A.No.9 of 2026 in O.S.No.359 of 2007 on the file of District Munsif, Krishnagiri.

For Petitioner : Ms.S.Y.Shaheedha Fathima

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ORDER

This civil revision petition has been filed under Article 227 of the Constitution of India against the order dated 22.07.2026 passed in I.A.No.9 of 2026 in O.S.No.359 of 2007 on the file of District Munsif, Krishnagiri, wherein the application filed by the petitioner/plaintiff to reopen the evidence on the side of petitioner/plaintiff in order to examine the Advocate Commissioner, came to be dismissed by the Court below.

2. Heard learned counsel for petitioner and carefully perused the materials available on record. This Court also went through the impugned order.

3. The petitioner is the plaintiff, who filed the suit in O.S.No.359 of 2007 seeking the relief of declaration, permanent injunction and other consequential reliefs. The suit was at the stage of final hearing and at that stage, the petitioner/plaintiff filed I.A.No.9 of 2026 in O.S.No.359 of 2007 to reopen the plaintiff's side evidence to examine the Advocate Commissioner. The Court below dismissed the said application. Aggrieved by the same, the present revision has been filed.

4. The petitioner filed the application to reopen the evidence on the side of petitioner/plaintiff in order to examine the Advocate Commissioner. The

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Court below while dealing with the application found that the Advocate Commissioner has submitted the report and plan on 24.01.2013 and the trial was going on from the year 2019 and the suit reached the stage of final arguments. At that stage, in the year 2026, the present application was filed to reopen the evidence on the side of plaintiff to examine the Advocate Commissioner. The Court below found that there is absolutely no justification in filing such an application at the fag end of the case, more particularly, when the suit is pending for the last 19 years.

5. The reasoning given by the Court below does not suffer from any perversity warranting interference of this Court. There is complete lack of alacrity on the part of the petitioner/plaintiff in filing the present application. When a report is already available from the year 2013, nothing prevented the petitioner/plaintiff to file an application to examine the Advocate Commissioner at the earliest point of time.

6. It is brought to the notice of this Court that the petitioner/plaintiff has already submitted objections to the report of the Advocate Commissioner. The same can be taken into consideration by the Court below while disposing of the suit on merits.

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N.ANAND VENKATESH, J.

gm

Accordingly, the impugned order is sustained and this civil revision petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

18-11-2026

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

To
The District Munsif,
Krishnagiri.

Civil Revision Petition No.7181 of 2026

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