



WEB COPY

CRP No. 6343 of 2
and CMP No.31459 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-03-2026

CORAM

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

**CRP No. 6343 of 2025
and CMP No.31459 of 2025**

A.Alphonse
S/o. Antony Samy,
No.46, Priya Dharshini Nagar,
Indra Nagar Extension,
Gorimedu, Pondicherry State.

..Petitioner(s)

Vs

Mariajohn Xavier Ruban
S/o. Thomas,
No.14, 2nd Cross Stret,
Ayyanar Kovil,
Veeman Nagar,
Pondicherry-9.

..Respondent(s)

PRAYER : Civil Revision Petition filed under Article 227 of Constitution of India, to set aside the order and decreetal order dated 20-09-2025 made in IA.No.549 of 2025 in OS.No.150 of 2016, on the file of the Additional Sub Court at Tindivanam in dismissing the interlocutory application filed by the petitioner to reopen the plaintiffs side evidence to examine the taluk surveyor on his side and pass such further or other orders and thereby render justice.

For Petitioner(s): Mr.R.Veeramani

For Respondent(s): Mr.N.Suresh



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ORDER

Challenging the impugned order dated 20-09-2025 passed in IA.No.549 of 2025 in OS.No.150 of 2016, on the file of the Additional Sub Court at Tindivanam, this Civil Revision Petition is filed.

2. Before the trial court, the plaintiff has filed an application to examine the surveyor in order to prove his claim. But the court below failed to consider the claim of the plaintiff and dismissed the application.

3. The learned counsel for the petitioner submits that he purchased the property in the year 2010 and thereafter dispute arose between the defendant, who is an adjacent owner and an Advocate Commissioner was already appointed and report also submitted. With regard to proving the extent of land, he wants to examine the surveyor, but the same was not permitted by the trial judge. The plaintiff wants to examine the surveyor in order to prove the contents of Ex.A14, which is a memo submitted by the surveyor.

4. The learned counsel for the respondent submits that on production of layout plan, the entire concept of the case would be decided. But on seeing the fact that after completion of the evidence when the case is posted for arguments



this application is filed.

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5. In such circumstances, one more opportunity is given to the petitioner to examine the surveyor and with that evidence the plaintiff is directed to close the evidence and cooperate for trial proceedings. The trial judge is directed to dispose the case as early as possible without giving any adjournment and liberty is granted to the defendant to cross examine the witness.

6. This Civil Revision Petition stands disposed of with the above directions. No costs. Consequently, connected miscellaneous petition is closed.

25-03-2026

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

MTL

Issue order copy on 26.03.2026

To
1. The Additional Sub Court at Tindivanam.



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T.V.THAMILSELVI, J.

MTL

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