



C.R.P.No.646 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :12.02.2026

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

C.R.P.No.646 of 2026
and CMP.No.3504 of 2026

1.M.Sriramulu
2.M.Gajendran
3.M.G.Subramani
4.M.G.Srinivasulu
5.M.S.Subramaniam

... Petitioner

VS.

K.Rajendran

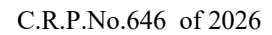
... Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, praying to set aside the fair and decretal order dated 13.08.2025 on the file of the District Munsiff, Tiruttani in I.A.No.2 of 2025 in O.S.No.69 of 2022.

For Petitioner : Mr.V.Elangovan

ORDER

The Civil Revision Petition is filed challenging the order passed by the trial Court, dismissing the application filed by the petitioner, seeking appointment of Advocate Commissioner.



3. The learned counsel appearing for the petitioners by relying on the judgment of this Court in CRP.No.1642 of 2020 in ***Fawzunissa Vs. The Hotel Company Limited and another*** submitted the trial Court committed an error in not appointing the Advocate Commissioner to note the physical features.

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5. It is not the case of the petitioners that there is a dispute with regard to the identity or location of the suit property. In the absence of any dispute with regard to the identity or location of the suit property, the respondent has to prove their possession over the suit property by leading evidence. The petitioners are also entitled to lead the evidence in order to establish their possession and the Advocate Commissioner cannot be appointed to assess the possession of the properties. Therefore, the case law relied on by the petitioner is not applicable to the facts of the case.

6. I do not find any serious error in the impugned order passed by the trial Court, Accordingly, the Civil Revision Petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

12.02.2026

Index : Yes / No
Speaking order : Yes / No
Neutral Citation : Yes / No
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To

The District Munsiff,
Tiruttani.

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S.SOUNTHAR, J.

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