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CRP.No.75 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.01.2026

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

CRP.No.75 of 2026 and
CMP.No.236 of 2026

Thilagavathi

... Petitioner

Vs.

P.Periyasami

...Respondent

PRAYER :Civil Revision Petition filed Article 227 of Constitution of India, praying to set aside the final order passed in I.A.No.02 of 2023 to appoint Advocate Commissioner in O.S.No.452 of 2018 dated 10.09.2025 on the file of the I Additional Subordinate Judge, Erode.

For Petitioner

: Mr.Deepanuday



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ORDER

The Civil Revision Petition is filed challenging the order passed by the Trial Court allowing the application filed by the respondent/plaintiff seeking appointment of Advocate Commissioner to measure the suit property in R.S. No. 465/2A and the property of the petitioner/defendant in suit R.S.No. 465/2B with the help of qualified Surveyor.

2. The respondent herein filed a suit seeking demarcation of the suit property measuring 49 cents in R.S. No. 465/2A by fixing the boundary line between the suit property and R.S. No. 465/2B, the property of the defendant on east and south of the suit property.

3. It is the case of the respondent that he is entitled to 49 cents in R.S. No. 465/2A and now, he is in possession of only 40 cents in the said survey number. Since the respondent is in possession of less extent than he is entitled to, the instant suit has been filed seeking to fix the dividing line between the property of the plaintiff and the defendant. Unless the properties of plaintiff and the defendant are measured with the help of Surveyor with reference to the title documents of the respective parties, the dividing line between the properties of both the parties cannot be fixed. Therefore, the Trial Court rightly



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appointed Advocate Commissioner to measure the properties of plaintiff and the defendant with the help of Surveyor and file a report. I do not find any error in the order passed by the Trial Court. Accordingly, the Civil Revision Petition stands dismissed. Consequently, the connected Miscellaneous Petition is closed. No costs.

09.01.2026

Index : Yes / No
Internet : Yes / No
nr

To

1. The I Additional Subordinate Judge,
Erode



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