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CRP.No.94 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-01-2026

CORAM

THE HONOURABLE MR.JUSTICE S. SOUNTHAR

**CRP No. 94 of 2026 and
CMP No.334 of 2026**

G.Rajivgandhi
S/o. Govinda Chetty, C-Block,
Sakthi Nagar, 22nd Street,
Maduravoyal, Nerkundram,
Chennai-600 107.

Petitioner(s)

Vs

1. R.Velu
S/o. Late. Raji Gounder,
A.Velampatti Village, Agraharam Post,
Harur Taluk, Dharmapuri District.

Respondent(s)

PRAYER: Civil Revision petition filed under Article 227 of Constitution of India to set aside the Fair and Final Order dated 05.11.2025 made in IA No. 2 of 2025 in OS No. 176 of 2017 on the file of the Learned Subordinate Judge, Harur, Dharmapuri District by allowing this CRP.

For Petitioner(s): Mr. M.Guruprasad



ORDER

This Civil Revision Petition is filed, challenging the order passed by the Trial Court, dismissing the application filed by the petitioner, seeking to issue summons to the Tahsildar, Harur Taluk to give evidence as witness on the side of the petitioner.

2. The petitioner herein filed a suit in OS No. 176 of 2017 seeking specific performance of sale agreement. Pending suit, the petitioner filed the instant application stating that the respondent has claimed that the value of the agreement mentioned property is more than one crore, as it is situated near Harur-Dharmapuri Highway. According to the petitioner, on the southern side of the agreement mentioned property, there is a government promboke land and only on further southern side, Harur-Dharmapuri Highway is situated. Therefore, in order to ascertain the fact as to whether the agreement property is abutting the Harur-Dharmapuri Highway or not, the petitioner wants to examine the Tahsildar of Harur Taluk, Dharmapuri District and hence, the instant application has been filed by him. The Trial Court, dismissed the said application, observing that in a suit for specific performance, the location and the boundaries of the agreement mentioned property need not be ascertained.



Aggrieved by the same, the petitioner has come before this court.

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3. It is the case of the petitioner that the agreement mentioned property is not situated next to Harur-Dharmapuri Highway and the locational advantage pleaded by the respondent is not correct. It is always open to the petitioner to prove the same by marking field map or leading other evidence. Hence, for the purpose of proving the location, the petitioner is not entitled to summon the revenue officials to give evidence on his side. Therefore, I do not find any serious error in the impugned order passed by the Trial Court.

4. Accordingly, this civil revision petition is dismissed. There shall be no order as to costs. Connected miscellaneous petition is closed.

09.01.2026

Internet : Yes

Index : Yes / No

Neutral Citation: Yes/No

MST

To

The Subordinate Judge, Harur, Dharmapuri District.



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S.SOUNTHAR, J.

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