



CRP(MD). No.3627 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 20.01.2026

CORAM

THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

C.R.P(MD). No.3627 of 2025

and

C.M.P(MD) No.19218 of 2025

Kamaraj

...Revision Petitioner

Vs

1.Nisha

2.The Village Administrative Officer,
Office at Nattanikottai Village,
Peravurani D.M Jurisdiction and Taluk,
Thanajvur District.

3.The Tahsildar,
Peravurani,
Office at Peravurani Town,
Peravurani D.M Jurisdiction and Taluk,
Thanajvur District.

4.The Revenue Divisional Officer,
Pattukkottai,
Office at Pattukkottai,
D.M Jurisdiction and Taluk,
Thanajvur District.

5.The District Collector,
Thanjavur,
Office at Thanjavur,
Thanjavur D.M.Jurisdiction and District.

... Respondents



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PRAYER :-Civil Revision Petition filed under Article 227 of the Constitution of India to call for the records relating to the fair and decretal order dated 24-09-2025 passed by the learned District Munsif cum Judicial Magistrate, Peravurani in I.A.No.84 of 2025 in O.S.No.40 of 2025 and set aside the same and allow this civil revision petition.

For Petitioner : M/s.M.Sangeetha
for Mr.A.Sivasubramanian

For R1 : Mr.S.Manojkumar

For R2 to R5 : Mr.F.Deepak
Special Government Pleader

ORDER

The present Civil Revision Petition has been filed challenging the order dated 24.09.2025 passed by the learned District Munsif-cum-Judicial Magistrate, Peravurani, in I.A.No.84 of 2025 in O.S.No.40 of 2025.

2. M/s.Sangeetha, learned counsel appearing for the revision petitioner submitted that the suit was filed seeking a declaration with regard to a common pathway and for the said purpose, an application was filed before the trial Court for appointment of an Advocate Commissioner. The order passed thereon is under challenge in the



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present revision. She further submitted that the Advocate Commissioner visited the suit schedule property on 17.12.2025 but could not identify the existence of the pathway.

3. This Court, by order dated 18.12.2025, directed the learned Special Government Pleader appearing for respondents 2 to 5 to obtain a report from the Surveyor deputed to survey the suit property. Pursuant to the said direction, a report has been filed today by the third respondent, namely the Tahsildar, Peravurani, with regard to Survey No.51/2B1A, wherein the relevant portion is marked in blue colour in the sketch. According to the said report, there exists a pathway standing in the name of one Kamaraj under Patta No.19723.

4. Though it is the contention of the learned counsel for the revision petitioner that the Advocate Commissioner had visited the property and did not submit any report, in the interest of justice, this Court deems it appropriate to direct the trial Court to appoint a fresh Advocate Commissioner to inspect the property and submit a report with a clear description of the suit schedule property and the claim made



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therein. Such exercise, i.e., appointment of an Advocate Commissioner and submission of report, shall be completed within a period of six months from the date of receipt of a copy of this order.

5. It is the contention of the learned counsel appearing for the first respondent that subsequent to the filing of the suit, the defendants had blocked the pathway by erecting fencing. However, the report filed by the Tahsildar, Peravurani, pursuant to the direction of this Court, is taken on record. The trial Court shall proceed with the matter independently and uninfluenced by the said report.

6. With the above directions, this Civil Revision Petition is disposed of. Consequently, the connected Miscellaneous Petition is closed. No costs.

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No

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To
The learned District Munsif cum Judicial Magistrate,
Peravurani.



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N.SENTHILKUMAR, J.

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