

IN THE COURT OF SUBORDINATE JUDGE OF PALLADAM

PRESENT: Thiru.K. Yuvaraj, B.A.,B.L.,
Subordinate Judge, Palladam

Monday of 8th June, 2026

I.A. 2/2024
in
OS.No.174/2024

M/S Sivaraj Spinning Mills Pvt Ltd.,
Rep by its Power Agent P.Vetrivelan

... Petitioner / Plaintiff

/Vs/

P.Subramaniam

... Respondent / Defendant

This petition is coming on 08.06.2026 for final hearing before me in the presence of **Thiru.M.Dhinakaran, B.B.M.,B.L.**, Advocate for the Petitioner/Plaintiff and **Thiru.P.Eswaramoorthy,B.A.,B.L.**, Advocate for the Respondent/Defendant. Upon hearing both side argument and all connected material records and having stood over till this day for consideration, this court delivered the following:

ORDER

This application was filed by the Petitioner/Plaintiff for appointment of Advocate Commissioner to measure the suit property and to file the detailed report there on.

1. The learned counsel for the Petitioner/ Plaintiff placed his arguments that he filed the main suit for the relief of Declaration of Title along with the consequential relief of the Permanent Injunction with the relief of Recovery of Possession. Hence for the better appreciation of case and for the complete disposal of the case the appointment of Advocate Commissioner is essential. Hence he filed this application for the appointment of Advocate Commissioner.

2. Per Contra, The learned counsel for the Respondent placed his argument that there is no valid title for the Plaintiff over the suit. The subject suit is not maintainable before this court. Hence he placed his case for dismissal.

II. Now Point for Consideration is Whether this Petition is Allowed?

Heard both sides. Perused entire records. On careful perusal of records admittedly the Petitioner/Plaintiff filed this suit for the relief of Declaration of Title along with the consequential relief of Permanent Injunction along with Recovery of Possession. In order to ascertain that whether the suit property was under any encroachment and if it so to what extent. Hence to cull out those issues the appointment of Advocate Commissioner is essential. Hence this court hereby appoints Mr.S.Vinoth Kumar, MS.No.3233/2014. The learned counsel as an Advocate Commissioner in this case and he is directed to visit the suit property and measure the same along with the help of Taluk Surveyor and file a detailed report along with his plan and Surveyor Plan on 08.07.2026. Remuneration for Advocate Commissioner fixed as Rs.25,000/- to be paid by petitioner/plaintiff.

In the result, with this observation this petition is allowed. No costs.

Dictated to the Steno-Typist, typed by her directly into the computer, corrected, printed out and pronounced by me in Open Court on this the 08th day of June 2026.

Subordinate Judge,
Palladam