IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-04-2026

CORAM

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

CMP No. 7847 of 2026
AND
CRP NO. 4950 OF 2024

R.Leelavathi
W/o. Late Ramanujulu,
Rep by her Power Agent Mr.dharani Chander,
Door No.16(Plot No.18) Gurunathan Street,
Palavanthangal,
Chennai-600 114

..Appellant(s)

Vs

L.Muniya
S/o. Lakshmanan,
Door No.18(Plot No.13, Gurunathan Street,
Palavanthangal,
Chennai-600 114

..Respondent(s)

PRAYER : Civil Miscellaneous Petition is filed under Section 151 CPC, to issue further direction to the trial court to issue direction to the Advocate Commissioner to inspect the property and note down physical features with sketch, as per the directions of the Hon'ble Court, as per CRP No. 4950 of 2024 dated 23.01.2025 and render justice.

For Appellant(s):	Mr.G.Surya Narayanan
For Respondent(s):	Mr.A.Nachiappan

ORDER

The revision petitioner, who is the plaintiff in O.S. No.379 of 2010, has preferred this revision petition stating that as per the directions given in CRP No.4950 of 2024, the learned Advocate Commissioner not executed the warrant since there is a discrepancies in the Commissioner report and inspite of the objections submitted on the other side have not been considered. Therefore, he sought direction to the Commissioner to measure the property as directed in the CRP No.4950 of 2024.

2. The learned counsel appearing for the respondent raised objections stating that the Commissioner has executed the warrant as per directions given in CRP No.4950 of 2024 and also submitted the report and now to drag on the proceedings, again they come forward with the present revision petition which is not sustainable.

3. By way of reply, the learned counsel for the revision petitioner submits that though the Commissioner has submitted report only based on the revenue records and not based on the documents which was relied by both the parties up to the year 2010 and the same was also specifically insisted as one of the condition while disposing the CRP No.4950 of 2024. Therefore, he wants a specific direction to the Advocate Commissioner. Further, he would also point out that based on the report submitted by the Tahsildar, the Commissioner had submitted the report. But there is no specific indication in the Advocate Commissioner report by considering the documents upto the year of 2010 relied by both the parties.

4. Considering the facts and circumstances of the case, the Advocate Commissioner is specifically directed once again to measure the property by verifying the documents up to the year of 2010 relied by both the parties and also the revenue records up to the year of 2010 and submit the report, before the trial court, within a period of twelve weeks. Already time limit had lapsed and therefore, further three months time is granted. The plaintiff is directed to pay a sum of Rs.15,000/- to the Advocate Commissioner as additional remuneration.

5. With the above directions, this Civil Miscellaneous Petition is disposed of.

06-04-2026

MTL

T.V.THAMILSELVI J.

MTL

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