



WEB COPY

CRP No. 5965 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-03-2026

CORAM

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

CRP No. 5965 of 2025

AND

CMP NO. 29477 OF 2025

R.Amutha
W/o.M.Rajasekaran,
No.166,5th Main Road, LIC Nagar, Ambedkar
Salai, Madipakkam, Chennai 600 091.

..Petitioner(s)

Vs

1. Kannathal
Res. at No.18/33, Bhagirathiammal Street,
T3, Padmam Apartments,
T.Nagar, Chennai – 017.
2. Uma
Res. at No.18/33, Bhagirathiammal Street, T3,
Padmam Apartments, T.Nagar, Chennai - 017.

..Respondent(s)

PRAYER

Civil Revision Petition filed under Art.227 of Constitution of India, praying to set aside the fair and decreetal order passed by the District Munsif cum Judicial Magistrate Court at Sholinganallur in IA No.3 of 2024 in OS No.1100/2024 dated 30.07.2025.

For Petitioner(s): Mr.M.Jaikumar

ORDER

Challenging the impugned order passed in I.A.No.3 of 2024 in O.S.No.1100 of 2024 by the learned District Munsif cum Judicial Magistrate,



Sholinganallur, the Revision Petitioner/plaintiff preferred this Civil Revision Petition.

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2 Before the trial court, the Revision Petitioner filed an application to examine the Taluk Surveyor and mark the revenue records and FMB Sketch for Survey Nos.10,11,12 and 13 of Pallikaranai Village and the same was dismissed by the trial judge holding that the said application was not maintainable and only to fill up the lacuna, she came forward with the said application.

3. The learned counsel for revision petitioner/plaintiff would submit that she had submitted her objections to the Commissioner's report and the defendants have also submitted their objections.

4. Heard the submissions made by learned counsel for revision petitioner and perused the materials available on record.

5. Admittedly, the advocate commissioner report and plan was filed. To prove the Commissioner's report, the Taluk Surveyor is necessarily examined, since in his presence, the property was inspected and measured. So, to accept the Commissioner's report, the evidence of Taluk Surveyor is just and necessary and by examining Surveyor, which would not cause any prejudice to any of the parties. But the trial judge has refused to grant permission as such is illegal, which requires interference. Therefore, this court is inclined to set aside the findings rendered in I.A.No.3 of 2024 in O.S.No.1100 of 2024 by the District Munsif cum Judicial Magistrate, Sholinganallur. The Revision Petitioner is required to take necessary steps to examine Taluk Surveyor before the trial



court. Accordingly, this Civil Revision Petition is allowed. No costs.

Consequently, connected civil miscellaneous petition is closed.

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

RPP

To

The District Munsif cum Judicial Magistrate, Sholinganallur.



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T.V.THAMILSELVI J.

RPP

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