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CRP(MD) NO. 3923 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06-01-2026

CORAM

THE HONOURABLE MR.JUSTICE N.SENTHILKUMAR

CRP(MD) No.3923 of 2025

1.R.Gopalakrishnan

Petitioner(s)

Vs

1.Veerammal

2.Saraboji Raja

Respondent(s)

For Petitioner(s):

Mr.A.Joel Paul Antony

Prayer:

J-36. Civil Revision Petition filed under Article 227 of Constitution of India, to set aside the order dated 01-11-2025 in I.A.No.03/2025 in O.S.No.67/2024 on the file of the Principal District Munsif, Manapparai Trichy District.

ORDER

Challenging the dismissal of the application filed for appointment of Advocate Commissioner, the present Civil Revision Petition has been filed.

2. The learned counsel appearing for the petitioners relied upon the order passed by this Court in C.R.P.(PD) No.279 of 2019, vide order dated 10.08.2022, wherein the following observations were made:



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“Therefore, this Court is of the view that the details of encroachment and the extent of construction can be ascertained only by appointing an Advocate Commissioner and it will not amount to collection of evidence as observed by the learned District Munsif. Thus, the learned District Munsif ought to have allowed the application seeking appointment of Advocate Commissioner.”

3. Issue notice to the respondents returnable by 29.01.2026. Private notice is also permitted.

4. Post the matter on 29.01.2026.

06-01-2026

Indu