



CRP(PD)(MD)No.2593 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 10.01.2023

CORAM:

**THE HONOURABLE MR.JUSTICE B.PUGALENDHI**

CRP(PD)(MD)No.2593 of 2022

and

C.M.P.(MD).No.12713 of 2022

1.I.Dalvi  
2.Joss Arockiya Mary  
3.Glory  
4.Regina Mary

... Petitioners

Vs

Paneerselvam

... Respondent

**Prayer:** Petition filed under Article 227 of the Constitution of India, to set aside the fair and final order dated 10.10.2022 made in I.A.No.95 of 2022 in O.S.No.381 of 2018 on the file of the District Munsif Cum Judicial Magistrate, Alankudi by allowing this Revision Petition.

For Petitioners : Mr.P.Santhoshkumar



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## **ORDER**

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This Civil Revision Petition is filed as against the fair and final order passed by the learned District Munsif cum Judicial Magistrate, Alankudi in I.A.No.95 of 2022 in O.S.No.381 of 2018, dated 10.10.2022.

2.The petitioners are the plaintiffs in the above suit and they filed an application in I.A.No.95 of 2022, under Order 26 Rule 9 of Civil Procedure Code, for appointment of Advocate Commissioner to note down the physical features of the suit schedule property. The trial Court has observed that the first plaintiff was cross examined on 15.09.2016 and during cross examination, a specific question was posed on the petitioner that he has not taken steps for appointment of Advocate Commissioner. Even thereafter, they have not taken any steps for appointment of Advocate Commissioner. However, the petitioners filed the application for appointment of Advocate Commissioner after six years and that too at the stage of arguments. Hence, the trial Court dismissed the application.



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3.This Court is not inclined to interfere with the order of the trial Court passed in I.A.No.95 of 2022 in O.S.No.381 of 2018 dated 10.10.2022.

In the result, this Civil Revision Petition is dismissed. No Costs. Consequently, the connected Miscellaneous Petition is closed.

**10.01.2023**

Index : Yes / No.  
Internet : Yes / No.  
tta

To

learned District Munsif cum Judicial Magistrate,  
Alankudi.



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**B.PUGALENDHI, J.**

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**Order made in**  
**CRP(PD)(MD)No.2593 of 2022**

**10.01.2023**