



C.R.P.No.476 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.02.2026

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

C.R.P.No.476 of 2026
and C.M.P.No.2638 of 2026

Katturaja

... Petitioner

vs.

1.Devanthiran

2.Navammal

3.Neelavathi

4.Lakshmi

... Respondents

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to set aside the Docket Order dated 28.11.2025 made in I.A.No.2 of 2025 in O.S.No.167 of 2024 on the file of the Special Court No.II (LAOP), Jayankondam.

For Petitioner : Mr.D.Lakshmipathy

ORDER

The Civil Revision Petition is filed challenging the order passed by the Special Court No.II (LAOP), Jayankondam in I.A.No.2 of 2025 in O.S.No.167 of 2024, dated 28.11.2025 allowing the application filed by the 1st respondent by appointing the Advocate Commissioner to note down the physical features of the suit property.



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2. The 1st respondent herein filed a suit for partition against the petitioner and others. Pending suit, an application has been filed by the 1st respondent seeking appointment of Advocate Commissioner on the ground that the petitioner is attempting to alter the physical features of the suit property and to cut down the valuable fruit-bearing trees standing in the suit property. The said application was allowed by the Trial Court by appointing the Advocate Commissioner for local inspection. Aggrieved by the said order, the petitioner has come before this Court.

3. At the time of filing of the revision, the petitioner failed to furnish the fair order passed by the Trial Court in I.A.No.2 of 2025. Only the operative portion of the order has been filed before this Court. Therefore, this Court called for remarks from the Trial Court as to whether any fair order was passed while disposing the application in I.A.No.2 of 2025 on 28.11.2025.

4. The learned Special Judge No.II (LAOP) (FAC), Jayankondam submitted remarks in his Letter D.No.367/2026, dated 11.02.2026 stating that a fair order was passed on 28.11.2025 in I.A.No.2 of 2025. He also enclosed the copy of the fair order along with letter.



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5. It is seen from the typed-set of papers, the appointment of Advocate Commissioner was sought for by the 1st respondent mainly on the ground that the petitioner is making attempt to alter the physical features and to cut down the valuable fruit-bearing trees standing in the suit property. If the physical features of the suit property are altered and valuable trees are cut down and removed pending suit, at time of final decree proceedings, there will be a lot of complications and therefore, the Trial Court rightly allowed the application and appointed the Advocate Commissioner for local inspection. I do not find any error in the impugned order.

6. Accordingly, the Civil Revision Petition is dismissed. No costs. Consequently, the connected civil miscellaneous petition is closed.

20.02.2026

Index : Yes / No
Speaking order : Yes / No
Neutral Citation : Yes / No
dm

To

The Special Court No.II (LAOP),
Jayankondam.



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S.SOUNTHAR, J.

dm

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