



CRP No. 3386 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 19-06-2026**

CORAM

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**THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE**

**CRP No. 3386 of 2026**

**AND**

**CMP NO. 14741 OF 2026**

1. Lakshmanan
2. Parthiban

Petitioner(s)

Vs

1. Malarvizhi
2. Pandian
3. Amutha Surabi

Respondent(s)

**PRAYER**

Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the fair and decretal order in IA No.2 of 2026 in OS No.99 of 2011 vide order dated 01.04.2026 on the file of District Munsif Court, Arakkonam.

For Petitioner(s): Mr.R.Vetrivel

**ORDER**

This Civil Revision Petition has been filed, challenging the impugned order dated 01.04.2026 passed by the District Munsif Court, Arakkonam, in I.A. No. 2 of 2026 in O.S. No. 99 of 2011.

2. In the aforesaid order, the application filed by the petitioners, who are the second and third defendants in the suit, seeking for appointment of an

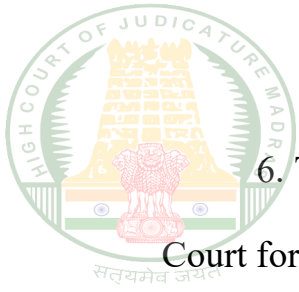


Advocate Commissioner, has been dismissed on the ground that the application filed by the petitioner seeking for appointment of an Advocate Commissioner is only to collect evidence, which is impermissible under law.

3. The trial Court has also observed in the impugned order that earlier an Advocate Commissioner was appointed by the very same trial Court and the petitioners /second and third defendants failed to take any steps for seeking the Advocate Commissioner's warrant.

4. The suit is of the year 2011. Admittedly, the plaintiff side evidence has also been completed. Only at this stage, I.A. No. 2 of 2026 was filed by the petitioners /second and third defendants seeking for appointment of an Advocate Commissioner to note down the physical features of the suit schedule property. Only through documentary evidence, the petitioners /second and third defendants will have to defend the suit and they cannot collect evidence through appointment of an Advocate Commissioner.

5. The trial Court has rightly rejected the petitioners' application by observing that the petitioners /second and third defendants cannot collect evidence through an Advocate Commissioner.



6. This Court does not find any infirmity in the reasons given by the trial Court for dismissing the application.

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7. Accordingly, this civil revision petition is dismissed. No costs.  
Consequently, connected miscellaneous petition is closed.

**19-06-2026**

Index: Yes/No  
Speaking/Non-speaking order  
Internet: Yes  
Neutral Citation: Yes/No  
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To

1. The District Munsif Court, Arakkonam.
2. The Section Officer, V.R. Section, Madras High Court.



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**ABDUL QUDDHOSE J.**

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