



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-06-2026

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THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE

CRP No. 3187 of 2026

AND

CMP NO. 13938 OF 2026, CMP NO. 13941 OF 2026, CRP NO. 3188 OF 2026

1. Shamala

Petitioner(s)

Vs

1. V.Venkatesh

2. Asvntha Mallika

3. Joan of Ark

Respondent(s)

CRP No. 3188 of 2026

1. Shamala

Petitioner(s)

Vs

1. V.Venkatesh

2. Asvntha Mallika

3. Joan of Ark

Respondent(s)

CRP No. 3187 of 2026

PRAYER

Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the order dated 27.03.2026 made in IA No.9 of 2025 in OS No.15 of 2008 on the file of District Munsif Court, Chengalpattu

CRP No. 3188 of 2026

PRAYER

Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the order dated 27.03.2026 made in IA No.10 of 2026 in OS No.15 of



2008 on the file of District Munsif Court, Chengalpattu and allow the revision.

For Petitioner(s): Mr.A.Suresh

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COMMON ORDER

C.R.P. No.3188 of 2026 has been filed, seeking to set aside the impugned order dated 27.03.2026 passed by the District Munsif Court, Chengalpattu in I.A. No. 10 of 2026 in O.S. No. 15 of 2008.

2. The aforesaid I.A. No. 10 of 2026 was filed by the petitioner, who is the second defendant in the suit, to issue subpoena to the Senior Deputy Manager (HRD) of Metropolitan Transport Corporation, Chennai, where the deceased first defendant was earlier working, for the purpose of production of the service records of the deceased first defendant.

3. C.R.P. No.3187 of 2026 has been filed by the petitioner, who is the second defendant in the suit O.S. No. 15 of 2008, challenging the impugned order dated 27.03.2026 passed in I.A. No. 9 of 2025 by the trial Court.

4. The aforesaid I.A. No. 9 of 2025 was filed by the petitioner, seeking for appointment of an Advocate Commissioner for the purpose of getting an expert opinion from a handwriting expert as per the provisions of Section 39 of the



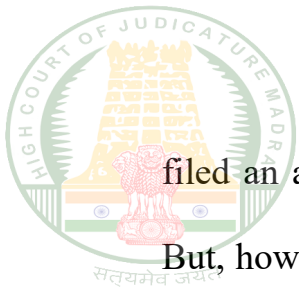
Bharatiya Sakshya Adhiniyam (BSA), 2023.

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5. Under the impugned orders dated 27.03.2026, both the interlocutory applications filed by the petitioner/second defendant have been dismissed by the trial Court on the ground that the said applications were filed by the petitioner only to drag on the proceedings.

6. The second defendant claims to be the purchaser of the suit schedule property subsequent to the filing of the suit filed by the plaintiff. The suit was filed by the plaintiff, seeking the relief of specific performance of an agreement of sale. During the pendency of the civil suit, the first defendant died and the legal representatives of the deceased first defendant were also brought on record by the plaintiff. But they remained *ex parte*.

7. Admittedly, the petitioner/second defendant is not a party to the sale agreement, which is sought to be specifically enforced by the plaintiff in the suit. The suit is of the year 2008. Admittedly, the petitioner/second defendant entered appearance in the said suit, even according to the learned counsel for the petitioner/second defendant, in the year 2014 itself. Having entered appearance in the suit and having filed the written statement, the petitioner ought to have



filed an application under Section 39 of the BSA at the earliest point of time.

But, however, the petitioner has filed the subject interlocutory applications only after the trial commenced in the suit, which is of the year 2008.

8. The trial Court has rightly dismissed the interlocutory applications by holding that the applications have been filed by the petitioner only to drag on the proceedings in the suit. This Court does not find any infirmity in the impugned orders passed by the trial Court.

9. Accordingly, these Civil Revision Petitions are dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

10-06-2026

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

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To

The District Munsif Court, Chengalpattu.



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CRP No. 3187 of 2026



ABDUL QUDDHOSE J.

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3188 OF 2026**

10-06-2026