



CRP(MD). No.3923 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 19.02.2026

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THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

**CRP(MD). No.3923 of 2025
and CMP(MD).No.20474 of 2025**

R.Gopalakrishnan

... Petitioner

Vs

1.Veerammal

2.Saraboji Raja

... Respondents

PRAYER :-Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the order, dated 01.11.2025, in I.A.No. 3 of 2025 in O.S.No.67 of 2024 on the file of the Principal District Munsif, Manapparai, Trichy District.

For Petitioner

: Mr.A.Joel Paul Antony

For Respondents

: Mr.Keerthivasan,
Legal aid counsel assisted by
Ms.G.Porkodi

ORDER

This civil revision petition has been filed to set aside the order, dated 01.11.2025, in I.A.No.3 of 2025 in O.S.No.67 of 2024 on the file of the Principal District Munsif, Manapparai, Trichy District.



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2. Heard the learned counsel for the petitioner and the learned counsel appearing for the respondents.

3. The learned counsel for the petitioner submitted that a bare injunction suit was filed and the suit property is a natham property. Therefore, the application was filed for appointment of an Advocate Commissioner to survey the land with the assistance of a surveyor with metes and bounds and file a report. The said application was dismissed on the ground that it is amount to collection of evidence.

4. Though notice was served and name of the respondent was printed in the cause list, none appears on behalf of the respondent, this Court appointed legal aid counsel. In the meantime, the respondent engaged another counsel. However, both have appeared on behalf of the respondent and assisted the court.

5. According to the learned counsels for the respondent, the revision petitioner himself has admitted that the property is natham land. Therefore, appointment of an advocate commissioner is only for



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collection of evidence. Therefore, there is no infirmity in the order of the trial Court.

6. Whether the property is a natham property or it is an encroachment land, is not the issue for the advocate commissioner. The advocate commissioner is appointed only to measure the property with metes and bounds and to file the respondent to that extent.

7. Therefore, the order passed by the trial Court is hereby set aside. The trial Court is directed to appoint an advocate commissioner for the above said purpose. This exercise shall be completed within a period of six months from the date of receipt of a copy of this order. This civil revision petition is allowed on the above terms. No costs. Consequently, connected miscellaneous petition is closed.

8. The Court places on record its appreciation for the commendable efforts of the legal aid counsel for the respondents, namely, Mr. Keerthivasan, for conducting the case diligently and providing valuable assistance to this Court. The High Court Legal Services



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Committee attached to this Bench shall pay a total sum of Rs.10,000/- as remuneration to the legal aid counsel for conducting the cases, within a period of two weeks from the date of receipt of a copy of this order, without fail.

9.Registry is directed to forward a copy of this order to the Legal Aid Committee for information.

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No

19.02.2026

TM

To

- 1.The Principal District Munsif, Manapparai, Trichy District.
- 2.The Section Officer,
E.R.Section/V.R.Section,
Madurai Bench of Madras High Court, Madurai.
- 3.The Legal Aid Committee,
Madurai Bench of Madras High Court, Madurai.



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N.SENTHILKUMAR, J.

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