



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-07-2026

WEB COPY

CORAM

THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE

CRP No. 3650 of 2026

AND

CMP NO. 15834 OF 2026

1. R.Kalavathi

2. Anuram Educational Charitable Trust
Rep by its Managing Trustee
R.Usharani, Having office at No.3, 65th
Street, 12th Avenue, Ashok Nagar,
Chennai - 600 083

Petitioner(s)

Vs

1. Krishnaveni

2. Gayathri

3. A. Thulasi Dass

4. A. Shanthi

5. Purushothaman

6. S. Jayakumar

7. S. Ponnusamy

8. S. Gankadharan

Respondent(s)

PRAYER

Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the fair and decretal orders dated 18.12.2025 made in IA No.7 of 2025 in OS No.295 of 2008 on the file of the District Munsif Court, Chengalpattu and allow this Revision Petition.



WEB COPY

CRP No. 3650 of 2026



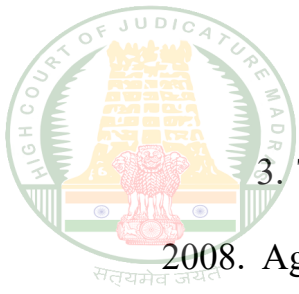
For Petitioner(s): Mr.K.Raja

For Respondent(s): Mr.K.Jayaraman For Caveator

ORDER

This civil revision petition has been filed, challenging the impugned order dated 18.12.2025 passed by the District Munsif Court, Chengalpattu in I.A. No.07 of 2025 in O.S. No.295 of 2008.

2. In the aforesaid order, the application filed by the defendants 5 to 8 in the suit O.S. No.295 of 2008 under Section 45 of the Indian Evidence Act to send the lease deeds (Document Nos.1289/2008, 1292/2008, 1291/2008 and 1290/2008 dated 10.03.2008, SRO Thirukazhukundram) and the rectification deeds (Document Nos.6248/2008, 6347/2008, 6349/2008 and 6345/2008 dated 13.10.2008, SRO Thirukazhukundram) to a Government handwriting/fingerprint expert for examination and opinion on the signatures and thumb impressions of late Hanumandass was allowed by appointing an Advocate Commissioner, who was directed to take the original documents and produce the same before the Government handwriting/fingerprint expert for examination and comparison of the signatures and thumb impression of Hanumandass, between the admitted signatures of Exhibits B20 to B23 and disputed signatures of Exhibits B24 to B27 and get opinion from the expert and file a report before the trial Court along with the original documents.



3. The petitioners are the defendants 1 and 9 in the suit O.S. No.295 of 2008. Aggrieved by the impugned order, they have filed this civil revision petition.

4. The learned counsel for the petitioners would submit that only to drag on the proceedings, I.A. No.7 of 2025 was filed by the defendants 5 to 8. The petitioners categorically contended that the documents executed by late Hanumandass were executed only by him and therefore, there was no necessity for the defendants 5 to 8 to have filed I.A. No.7 of 2025 before the trial Court at the belated stage when the suit was in the part-heard stage. He would also submit that the fifth defendant, who is the wife of late Hanumandass, has herself signed as an identifying witness to the rectification deeds, and therefore when she has not disputed her signature in her affidavit filed in support of I.A. No.7 of 2025, the question of referring the documents to a handwriting expert under Section 45 of the Indian Evidence Act does not arise.

5. The learned counsel for the petitioners would also submit that since the suit has been filed by the plaintiffs only for a bare injunction, no useful purpose will be served if the documents are sent to the handwriting expert as per the provisions of Section 45 of the Indian Evidence Act.



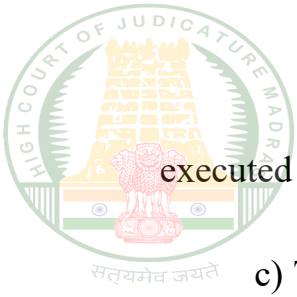
6. The learned counsel for the petitioners would submit that, erroneously, the trial Court has allowed I.A. No.7 of 2025, which will only delay the proceedings in the suit.

7. The suit has been filed in the year 2008. The plaintiffs had filed the suit for bare injunction to restrain the defendants from interfering with their peaceful possession and enjoyment of the suit schedule property. It is the case of the defendants 1 and 9, who are the petitioners herein, that they had also filed a civil suit in respect of the very same property and had obtained an injunction restraining the plaintiffs in O.S. No.295 of 2008 from interfering with the defendants 1 and 9's peaceful possession and enjoyment of the suit schedule property. Therefore, it is their case that the suit is barred by law.

8. While allowing the application filed by the defendants 5 to 8 in I.A. No.7 of 2025, the trial Court has given the following reasons for allowing the said application:

a) The defendants 5 to 8 (petitioners in I.A. No.7 of 2025) have totally denied the alleged rectification deeds executed in favour of the defendants 1 and 9 by late Hanumandass;

b) According to the defendants 5 to 8, the alleged rectification deeds



executed in favour of defendants 1 and 9 are forged and fabricated documents;

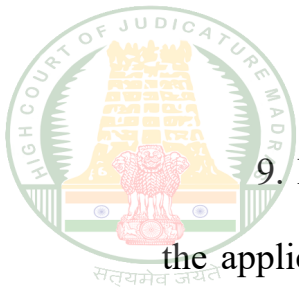
c) The defendants 1 and 9 in their written statement have not pleaded the existence of the rectification deeds in their favour, and they have introduced the same only at the time of recording of evidence during the trial;

d) The defendants 5 to 8 have filed the application in I.A. No.7 of 2025 immediately after they got the knowledge about the alleged rectification deeds, which are disputed by them;

e) Though the suit is pending for more than 10 years, only to ascertain the truth, I.A. No.7 of 2025 has been allowed;

f) The defendants 5 to 8 have accepted the signatures and thumb impression of late Hanumandass in the lease deeds, i.e., Exhibits B20 to B23. But they have denied the signatures and thumb impressions of Hanumandass in the rectification deeds, i.e., Exhibits B24 to B27;

g) Hanumandass was the original fourth defendant in the suit. During the pendency of the suit, the said Hanumandass died. He is said to have executed the above documents in favour of the ninth defendant. But he did not file any written statement denying the execution of the lease deeds and rectification deeds. Hence, the contention of the defendants 1 and 9 is not acceptable since at the time of the death of Hanumandass, the fourth defendant did not file any written statement.

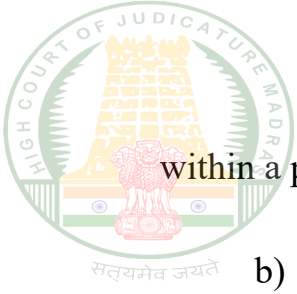


9. For the foregoing reasons, the trial Court came to the conclusion that the application has been filed by the defendants 5 to 8 without any delay and that they should be given an opportunity to prove their defence, namely, that the alleged documents are forged and fabricated documents.

10. This Court does not find any infirmity in the reasons given by the trial Court for allowing I.A. No.7 of 2025 in favour of the defendants 5 to 8. When this Court expressed this view to the learned counsel for the petitioners, the learned counsel for the petitioners, on instructions, would now submit that a direction may be issued to the trial Court to obtain the report as indicated in the impugned order dated 18.12.2025 passed in I.A. No.7 of 2025 in O.S. No.295 of 2008 within a time frame to be fixed by this Court and a direction may also be issued to the trial Court to dispose of the suit within a period of three months from the date of obtaining the report from the handwriting expert.

11. For the foregoing reasons, this Court is not interfering with the impugned order passed by the trial Court but is disposing of this Civil Revision Petition by issuing the following directions:

a) The trial Court, namely the District Munsif Court, Chengalpattu, is directed to list the suit O.S. No.295 of 2008 for hearing on 21.07.2026. On that date, a direction shall be issued to the handwriting expert to submit the report



within a period of two weeks from that date;

b) On receipt of the report from the handwriting expert, the trial Court, namely the District Munsif, Chengalpattu, shall dispose of O.S. No.295 of 2008 as well as O.S. No.347 of 2008 after conducting the trial within a period of three months thereafter.

No costs. Consequently, connected miscellaneous petition is closed.

07-07-2026

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

To
The District Munsif Court, Chengalpattu.



WEB COPY

CRP No. 3650 of 2026



ABDUL QUDDHOSE J.

ab

**CRP No. 3650 of 2026
AND CMP NO. 15834
OF 2026**

07-07-2026