



WEB COPY

A No. 1674 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-08-2026

CORAM

THE HON'BLE DR.JUSTICE A.D.MARIA CLETE

A No. 1674 of 2026

in

TOS NO. 6 OF 2018

Vasant K Cycil
No.6, 15th Cross Street,
Shastri Nagar, Adyar,
Chennai 600 020.

..Applicant(s)

Vs

Mrs. Ramola Joseph
A-1, Oak Wood Apartments,
25, Anderson Road,
Chennai 600 006.

..Respondent(s)

Prayer in A No. 1674 of 2026: Petition filed under Sections 73 & 39 of the Bharatiya Sakshya Adhiniyam 2023 for direction to send disputed document for forensic analysis, pleaded to direct the Respondent to direct the Respondent to produce a specimen signature of Late Mr.A.R.Cycil for the purpose of verifying the signature on the disputed Will dated 26/03/1984 along with specimen signature provided by the Defendant by a Forensic Expert for opinion on the signature validity.

A No. 1674 of 2026

For Applicant(s):

Mr.V.P.Sengottuvel (senior advocate) for
M/S.N. Paul Sunder Singh

For Respondent(s):

Mr. R.Kumar



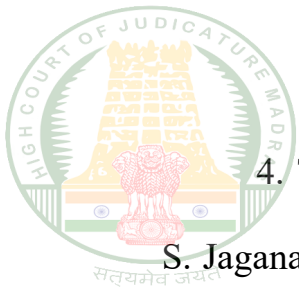
ORDER

WEB COPY

This application is filed by the plaintiff seeking a direction to the defendant to produce documents containing the admitted signature of late A.R. Cycil and to refer the signature appearing in the Will dated 26.03.1984 for forensic comparison.

2. The plaintiff has instituted the suit for grant of Letters of Administration with the said Will annexed. He states that the defendant has denied the testator's signature; that one attesting witness is dead; and that the surviving attesting witness was unwilling to cooperate. He therefore seeks expert comparison of the signature in the Will with the admitted signatures of the testator.

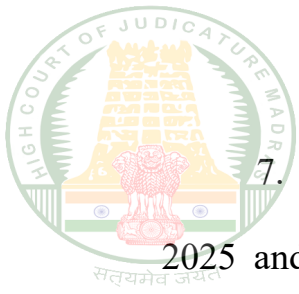
3. The respondent/defendant has filed a counter opposing the application. It is stated that the plaintiff had earlier filed A.No.60 of 2025 seeking comparison of the signature of an attesting witness found in the very same Will and that the said application was dismissed by order dated 08.04.2025, since Ex.P3 is only a photocopy of the alleged Will and comparison of a signature appearing in a photocopy with an original signature would not yield a reliable forensic opinion.



4. The respondent has further stated that the surviving attesting witness, S. Jaganathan, was subsequently examined through an Advocate Commissioner on 26.08.2025 and that he denied the seal and signature attributed to him, as well as his presence at the alleged execution of the duplicate Will. According to the respondent, the present application is only an attempt to prolong the proceedings and fill up the lacuna in the plaintiff's evidence.

5. Though A.No.60 of 2025 related to the signature of an attesting witness and the present application relates to the signature of the testator, the fundamental defect remains unchanged. Ex.P3 is only a photocopy of the alleged Will. The plaintiff has neither produced the original Will nor explained how a dependable forensic opinion could be obtained from a reproduced signature.

6. The plaintiff has also not identified any particular original document containing an admitted and contemporaneous signature of late A.R. Cycil or established that such document is in the possession or control of the respondent. A general direction cannot be issued requiring the respondent to search for and produce documents containing the signature of a deceased person.



7. In view of the earlier order dated 08.04.2025 passed in A.No.60 of 2025 and since no change in circumstances has been established, no useful purpose would be served by referring the signature appearing in the photocopy of the Will for forensic examination.

8. Accordingly, **A.No.1674 of 2026 is dismissed. No costs.** The parties shall proceed with the remaining evidence without seeking avoidable adjournments.

03-08-2026

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

JRS



WEB COPY

A No. 1674 of 2



DR.A.D.MARIA CLETE J.

JRS

**A No. 1674 of 2026
AND
CS NO. 376 OF 2017,TOS NO. 6 OF 2018**

03-08-2026