

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.09.2015

CORAM:

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

CRP.PD.No.1829 of 2015 and
M.P.No.1 of 2015

C.Vajjiravel
PETITIONER

..

Vs

A.Venkatesan

.. RESPONDENT

Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the fair and final order dated 06.01.2015 made in I.A.No.301 of 2014 in O.S.No.28 of 2014 on the file of the Subordinate Court, Krishnagiri.

For petitioner : Mr.P.M.Duraiswamy

For Respondent : Mr.S.N.J.Hariharan
for Mr.V.Nicholas

ORDER

The Revision Petition is filed by the plaintiff in O.S.No.28 of 2014 on the file of the Subordinate Judge, Krishnagiri.

2. The respondent herein is the defendant therein. It is the suit for recovery of money based on promissory note executed by the respondent. Now, the respondent has denied the very signature in

the promissory note in the written statement filed in O.S.No.28 of 2014.

3. The respondent/defendant filed I.A.No.301 of 2014 in O.S.No.28 of 2014 for sending the signature in the pronote along with two admitted signatures found in the public documents for the opinion of the Handwriting Expert. The Subordinate Judge, Krishnagiri allowed the I.A.No.301 of 2014 in O.S.No.28 of 2014 on 06.01.2015. This Revision Petition is against the aforesaid order.

4. Heard both sides.

5. The written statement has been filed in O.S.No.28 of 2014. In the Written Statement, the respondent/defendant disputed the signature in the Promissory Note. Hence, he filed I.A.No.301 of 2014 to send for the promissory note for the opinion of the handwriting expert to be compared with the signatures of contemporary documents.

6. At this stage, the learned Counsel for the Revision Petitioner would submit that the Revision Petitioner is not admitting those documents as public documents.

7. I am not able to appreciate the said submission made by the learned Counsel for the Revision Petitioner since the documents, wherein the admitted signatures of the petitioner are referred to by the handwriting expert, are public documents. Hence, in view of all the above, I do not find any infirmity in the order of the trial court.

8. In the result, the Civil Revision Petition fails and the same is accordingly dismissed. No costs. Consequently, connected Miscellaneous Petition is also closed.

09.09.2015

Index : Yes
Internet:Yes

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To
The Subordinate Judge, Krishnagiri.

D.HARIPARANTHAMAN, J.

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