

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.11.2016

CORAM:

**THE HON'BLE MR.JUSTICE K.K.SASIDHARAN**

CRP (PD) No.1035 of 2014  
and M.P.No.1 of 2014

C.Seenu

... Petitioner

Versus

1. Ragunath  
2. N.Gangadevi  
3. Thirunavukkarasu

... Respondent

Civil Revision Petition filed under Article 227 of the Constitution of India, against the fair and decreetal order dated 13.12.2013 made in I.A.No.166 of 2012 in O.S.No.3 of 2007 on the file of the Sub Court, Tirupattur, Vellore District.

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|----------------|---|----------------------|
| For Petitioner | : | Mr.M.V.Venkateseshan |
| For R1         | : | Mr.S.V.Karthikeyan   |
| For R2         | : | No appearance        |
| For R3         | : | Mr.T.Dhanyakumar     |

### **ORDER**

The petitioner filed an application in I.A.No.166 of 2012 to send two documents for expert opinion, in addition to the documents already sent, pursuant to the order in I.A.No.154 of 2009. The learned Judge dismissed the application. The said order is under challenge in the Civil Revision Petition.

2. Heard the learned counsel for the petitioner and the learned counsels for Respondents 1 and 3.

3. The documents available on record indicates that the petitioner earlier filed application in I.A.No.154 of 2009 to send three documents for expert opinion for the purpose of comparing it with the sale deed in favour of the first defendant and the related power of attorney.

4. The Trial Court allowed the application and directed those two documents to be sent for expert opinion. The request made by the petitioner to send the pronote filed in O.S.Nos.200 and 203 of 2001 was not agreed to and the same is evident from the order passed by the learned Trial Judge.

5. The petitioner now wanted the very same documents to be sent for expert opinion. According to the petitioner, the Expert suggested that few more documents should be produced for comparison. There is no question of sending the documents which was rejected earlier. The learned Trial Judge, in the order under challenge, clearly stated that the request was made earlier and the same was refused. Such being the factual position, the Trial Judge was correct in dismissing the application. I do not find any error or illegality in the order passed by the learned Trial Judge, warranting interference, by invoking the revisional jurisdiction under Article 227 of the

Constitution of India.

6. In the upshot, I dismiss the Civil Revision Petition. No costs.  
Consequently, connected miscellaneous petition is closed.

11.11.2016

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To

The Sub Court,  
Tirupattur, Vellore District.

**K.K.SASIDHARAN, J.**

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