

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **07.09.2016**

CORAM:

THE HONOURABLE MR.**JUSTICE K.K.SASIDHARAN**

C.R.P.(PD) No.2687 of 2016 and
CMP.No.13948 of 2016

T.V.Kannan

...Petitioner

versus

1.C.Rajee

2.C.Prabu

...Respondents

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the order dated 14.06.2016 passed in I.A.No.251 of 2016 in O.S.No.487 of 2010 on the file of Principal District Munsif at Kanchipuram.

For Petitioner : Mr.T.S.Baskaran

ORDER

The interlocutory application filed by the petitioner to send the documents for examination by a Forensic expert was dismissed by the Trial Court. The said order is under challenge in this Civil Revision Petition.

2. The petitioner filed a suit in O.S.No.487 of 2010 before the learned Principal District Munsif, Kanchipuram. In the said suit, the respondents have taken up a contention that the petitioner has executed a Sale Agreement and a Power of Attorney authorising to deal with the property. The petitioner, during the currency of the suit filed an application to send the agreement for comparison, as according to him, his wife has not signed as a witness, though, it would appear as if she has signed. The said application was dismissed by the Trial Court.

3. The petitioner is not denying his signature found in the sale agreement. No purpose would be served by sending the document to verify the signature of his wife. When the execution of the document itself is not in dispute, there is no question of sending the document only for the purpose of verifying the signature of the attesting witness. I am therefore of the view that the learned Trial Judge was perfectly correct in dismissing the application.

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

07.09.2016

Index:Yes/No
svki

K.K.SASIDHARAN, J.

(svki)

To

The Principal District Munsif
Kanchipuram

C.R.P.(PD) No.2687 of 2016

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