

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.12.2016

C O R A M

THE HONOURABLE Mrs.JUSTICE **PUSHPA SATHYANARAYANA**

C.R.P.P.D.No.3897 of 2016
and C.M.P.No.19854 of 2016

P.Murugesan

.. Petitioner

-Vs.-

D.Senthilnathan

.. Respondent

Civil Revision Petition filed under Article 227 of the Constitution of India against the fair and decretal order dated 19.07.2016 made in I.A.No.359 of 2015 in O.S.No.81 of 2013 on the file of the Subordinate Judge, Gobichettipalayam.

For petitioners ... Mr.V.Anandhamurthy

O R D E R

The defendant in a suit for promissory note, has filed the above revision aggrieved by the order refusing to send the promissory note to an expert to be compared with the admitted signatures.

2. The admitted signatures, according to the petitioner, are found on the vakalat, written statement and other admitted documents

only. The said application was rightly dismissed by the learned

PUSHPA SATHYANARAYANA.J

srn

Subordinate Judge stating that the petitioner had not produced any document of contemporary period containing his admitted signatures.

3. Learned counsel for the petitioner / defendant seeks liberty to file a fresh application under Section 45 of the Evidence Act, in the event, the petitioner is able to get any other document of contemporary period wherein the admitted signature of the plaintiff is found.

4. Accordingly, the Civil Revision Petition is dismissed. However, liberty sought for by the petitioner is granted. No costs. Consequently, connected miscellaneous is closed.

20.12.2016

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To

The Subordinate Judge, Gobichettipalayam.

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and C.M.P.No.19854 of 2016