



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.04.2016

CORAM

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THE HONOURABLE MR.JUSTICE C.T.SELVAM

C.R.P. (MD) No.1977 of 2015
and M.P.(MD) No.1 of 2015 and C.M.P.(MD) No.3984 of 2016

Nachiyappan : Petitioner/Petitioner/33rd
Defendant

Versus

Meenal : Respondent/Respondent/Plaintiff

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, praying to set aside the fair and decreetal order dated 19.03.2015 made in I.A.No.36 of 2015 in O.S.No.154 of 2011 on the file of the Principal District Munsif Cum Judicial Magistrate, Karaikudi.

For Petitioner : Mr.M.Ajmal Khan, Senior Counsel
for M/s.Ajmal Associates

For Respondent : Mr.S.Parthasarathy

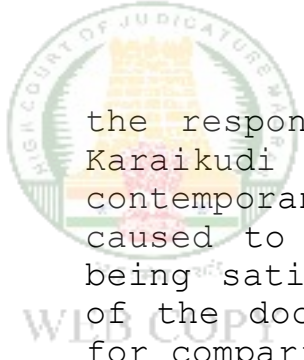
O R D E R

The petitioner/33rd Defendant seeking to prove the signature of the plaintiff in Ex.B.3 and Ex.B.18 in support of the defendants case moved I.A.No.36 of 2015 in O.S.No.154 of 2011 on the file of the Principal District Munsif cum Judicial Magistrate, Karaikudi, calling for the comparison of signatures therein with other documents marked in the suit. Court below has dismissed the said application on the reasoning that such other documents were not contemporaneous to Ex.B.3 and Ex.B.18. In doing so, opportunity has been granted to the petitioner to file contemporaneous documents for comparison.

2.On the last hearing, this Court expressed the view that the issue can be resolved by requiring the respondent to inform documents executed by her during period contemporaneous to Ex.B.3 and Ex.B.18. Presently counsel for respondent submits that respondent has undergone a surgery and she is at Chennai and would have to travel to Karaikudi to locate documents towards meeting the requirement.

<https://hcservices.ecourts.gov.in/hcservices/>

3.In the circumstances, the order under challenge is set aside and the Civil Revision Petition is disposed of with a direction to



the respondent to produce before the Principal District Munsif, Karaikudi document executed by her and which is/are contemporaneous to Ex.B.3 and Ex.B.18. Thereupon, notice may be caused to petitioner who may also be heard. The Court below on being satisfied with the authenticity and contemporaneous nature of the documents may forward the same along with Ex.B3 and B.18 for comparison by the scientific expert.

The Civil Revision Petition accordingly is ordered. No costs. Consequently connected Miscellaneous Petitions stand closed.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub-Assistant Registrar

To

The Principal District Munsif cum Judicial Magistrate,
Karaikudi.

+One cc to M/s.Ajmal Associates, Advocate, SR.No.24732

sj

RL/3C/2P/DB/16/6/2016

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