

THE HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN

CIVIL REVISION PETITION NO.3401 of 2016

ORDER:

The petitioner has come up with the above revision petition challenging the order passed by the trial Court rejecting the application taken out by the petitioner/defendant for summoning certain documents from his employer as well as the banks.

Heard the learned counsel for the petitioner.

The respondent filed a suit for recovery of money against the petitioner on the basis of a promissory note. The petitioner denied the execution of promissory note and took out an application for referring the signature to a handwriting expert. That application was dismissed. The dismissal order has attained finality.

Thereafter, the petitioner took out the present application, out of which this revision arises, seeking to summon certain documents and registers from his employer and the banks. The purpose of filing this application is to prove to the Court that he always signs only in English and never in Telugu. But the trial Court dismissed the application forcing the petitioner to come up with the present revision petition.

As rightly pointed out by the trial Court, the question whether the signature contained in the suit promissory note is that of the petitioner or not cannot be determined by finding an answer to the question whether he would normally sign in English or Telugu that has no correlation to this. The petitioner's attempt to have the signature found in the promissory note examined by a handwriting expert has already availed. Therefore, the petitioner cannot now seek the present prayer. Hence, the Civil Revision Petition is dismissed. There shall be no order as to costs.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE V. RAMASUBRAMANIAN

29th July, 2016
Js.