

HON'BLE SRI JUSTICE V.RAMASUBRAMANIAN

Civil Revision Petition No.967 of 2017

Order:

This revision arises out of an order passed by the Trial Court refusing to send the documents summoned from the Railway authorities, for examination by a handwriting expert, along with the documents already sent to him.

2. Heard Mr. K.R. Sasidharan Nair, learned counsel for the petitioners and Mr. Mamidi Venu Madhav, learned counsel for the respondent.

3. The respondent herein filed a suit in O.S.No.358 of 2012 for recovery of a sum of Rs.13,00,500/-. The suit was based upon a promissory note dated 12-7-2011. The petitioners, who were defendants, took a plea in paragraph-6 of the written statement that the signatures in the promissory note were forged. On the basis of the said claim, the petitioners already filed I.A.No.281 of 2014 for sending the suit promissory note along with the contemporaneous records for the examination by the handwriting expert. That application was allowed.

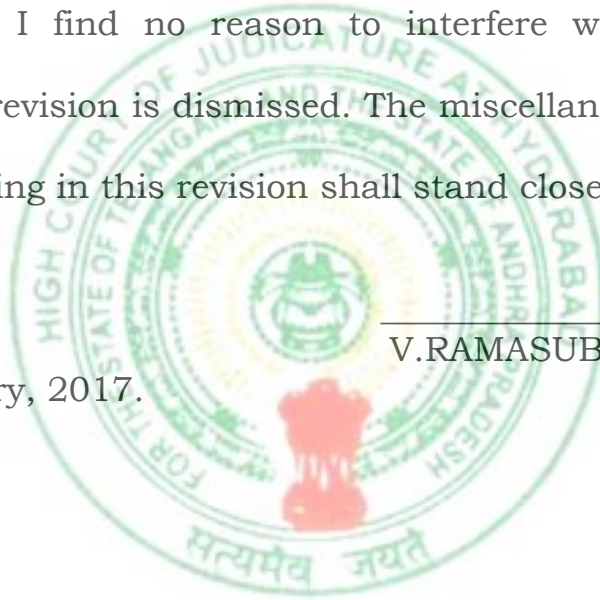
4. Thereafter, the petitioners got certain documents summoned from the Railway authorities, by filing an application in I.A.No.991 of 2015. After those documents came, the petitioners sought reference of those documents also to the handwriting expert. But the said prayer was

turned down by the Trial Court forcing the petitioners to come up with the above revision.

5. Once certain documents are sent for examination by handwriting expert, it is not necessary to multiply the documents. The petitioners ought to have made this prayer earlier. Even otherwise, it is not necessary that a host of documents are to be examined for finding out whether the suit promissory note contains the signature of the borrower or not. Hence, the Trial Court is right in rejecting the application. I find no reason to interfere with the same. Hence, the revision is dismissed. The miscellaneous petitions, if any, pending in this revision shall stand closed. No costs.

28th February, 2017.
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V.RAMASUBRAMANIAN, J.



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