

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 18.06.2018

Coram:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

C.R.P.(PD).No.1786 of 2018

and

C.M.P.No.10000 of 2018

P.K.Selvaraj

... Petitioner

Vs.

K.Tamilselvan

... Respondent

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, praying to set aside the order and decree in I.A.No.456 of 2017 in O.S.No.40 of 2011 dated 16.04.2018 on the file of Principal District Judge, Namakkal.

For Petitioner : Mr.D.Balachandran

सत्यमेव जयते

ORDER

The relief sought for in this revision petition is to set aside the order and decree made in I.A.No.456 of 2017 in O.S.No.40 of 2011 dated 16.04.2018 on the file of the learned Principal District Judge, Namakkal.

2. The respondent filed a suit in O.S.No.40 of 2011 before the learned

Principal District Munsif, Namakkal. The suit is for recovery of money based on the Promissory Note, wherein the written statement is filed.

3. During the pendency of the suit, the revision petitioner filed an application in I.A.No.456 of 2017 in O.S.No.40 of 2011 before the learned District Munsif, Namakkal, for sending the promissory note to obtain an expert opinion. The revision petitioner has not denied the signature found in the promissory note.

4. The learned Principal District Judge after giving an opportunity to both the parties, dismissed the application on merits.

5. Aggrieved against the said order dated 16.04.2018, the revision petitioner is before this Court by way of the revision petition.

6. Heard the learned counsel for the petitioner and perused the order of the trial Court and also the written statement filed in the suit in O.S.No.40 of 2011.

7. The learned counsel for the petitioner would submit that the revision petitioner has not denied the signature found in the said promissory note.

8. On a perusal of the written statement filed by the revision petitioner before the trial Court, the revision petitioner has not denied his signature found in the suit promissory note. Thus, there is no reason to interfere with the order passed by the trial Court and finds no illegality or infirmity in the order passed by the trial Court. This Court does not find any merits in the revision petition.

9. In the result, the Civil Revision petition is dismissed. Consequently, connected Miscellaneous petition is closed. No costs.

18.06.2018

Index:Yes/No

Speaking order / Non speaking order

vum

To

The Principal District Judge,
Namakkal.

P.VELMURUGAN, J.,

vum



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