

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Wednesday, the Thirteenth day of June Two Thousand Eighteen

PRESENT

THE HON`BLE MR JUSTICE R.SUBBIAH

and

THE HON`BLE MR.JUSTICE C.SARAVANAN

CMP.Nos.22770, 22771 & 22772 of 2017

in AS.Nos.271, 273 & 274 of 2016

1 G.KANDASAMY	[PETITIONERS IN ALL THE
	PETITIONS]
2 N.PALANISAMY	
3 D.KANDASAMY	
S.SELVARAJ (DECEASED)	
4 S.VARADHARAJAN	
5 S.MANIMEGALAI	
6 S.SANTHOSE KUMAR	
7 S.YUVASHRI	
S.MUTHULAKSHMI (DECEASED)	

Vs

JAGADEESWARI	[RESPONDENT IN CMP.22770/17]
RAJAMMAL	[RESPONDENT IN CMP.22771/17]
MOHAN KUMAR	[RESPONDENT IN CMP.22772/17]

Petitions praying that in these circumstances stated therein and in the respective affidavits filed therewith the High Court will be pleased to

(i)Send the following document for an expert opinion, which was marked as Exhibit A-1, in **alongwith the document containing the admitted signatures which was marked as exhibit-B1**, in O.S. No. 297 of 2006 on the file of II Additional District and Sessions Judge at Tiruppur, which is now available before this Honourable High Court in the above Said A.S.No.271 of 2016 (in CMP.No.22770/2017);

PRAYER AMENDED VIDE ORDER OF THIS COURT DATED 13.06.18 MADE IN CMP.NOS.10100 TO 10102/2018 IN AS.NOS.271, 273 & 274/2017 BT RPSJ & CSNJ]

(ii)Send the following document for an expert opinion, which was marked as Exhibit A-1, **alongwith the document containing the admitted signatures which was marked as exhibit-B1**, in O.S. No. 293 of 2006 of the file of II Addl. District and Sessions Judge at Tiruppur, which is now available before this Honourable High Court in the above Said A.S. No. 273 of 2016(in CMP.No.22771/2017);

PRAYER AMENDED VIDE ORDER OF THIS COURT DATED 13.06.18 MADE IN CMP.NOS.10100 TO 10102/2018 IN AS.NOS.271, 273 & 274/2017 BT RPSJ & CSNJ]

(iii)Send the following document for an expert opinion, which was marked as Exhibit A-1, **alongwith the document containing the admitted signatures which was marked as exhibit-B1**, in O.S. No. 295 of 2006 of the file of II Addl. District and Sessions Judge at Tiruppur, which is now available before this Honourable High Court in the above Said A.S. No. 274 of 2016(in CMP.No.22772/2017)respectively.

PRAYER AMENDED VIDE ORDER OF THIS COURT DATED 13.06.18 MADE IN CMP.NOS.10100 TO 10102/2018 IN AS.NOS.271, 273 & 274/2017 BT RPSJ & CSNJ]

Order : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.G.K.R.PANDIAN, Advocate for the petitioner in all the petitions and of M/S.A.K.KUMARASAMY, Senior Counsel for M/S.V.NICHOLAS, Advocate for on behalf of the Respondents in each the petitions the court made the following order:-

These applications have been filed seeking for a direction to send the documents which were marked as Exhibit-A1 viz., Sale agreement in the respective suits in O.S.Nos.297/2006, 293/2006 and 295/2006 for an expert opinion to ascertain the signature of the respondent herein viz., Jagadeeswari, Rajammal and K.Mohan kumar respectively along with the documents containing the admitted signature which were marked as Exhibit-B1 in O.S.Nos.297/2006, 293/2006 and 295/2006 respectively on the file of II Additional District and Sessions Judge, Tiruppur, since the respondents deny their signature.

2. Heard the submissions of the learned counsels appearing on either side.

3. Considering the submissions made, in the interest of justice, we are of the opinion that it would be appropriate to allow these applications. Accordingly, the applications are allowed. Registry is directed to send the documents Exhibit-A1, sale agreement in O.S.Nos.297/2006, 293/2006 and 295/2006 containing the signature of the respondent herein viz., Jagadeeswari, Rajammal and K.Mohan kumar respectively along with the admitted signature found in Exhibit-B1 in O.S.Nos.297/2006, 293/2006 and 295/2006 respectively for expert opinion to the Forensic Science Department, Chennai. On receipt of the same, the Forensic Science Department is directed to give opinion with regard to the signature of the respondent herein respectively found in the above said documents and file their report on or before 05.07.2018.

Post the matter on 05.07.2018.

-sd/-
13/06/2018

/ TRUE COPY /

Sub-Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE II ADDITIONAL DISTRICT AND
SESSIONS JUDGE, AT TIRUPPUR.

2 THE FORENSIC SCIENCE DEPARTMENT,
CHENNAI.

Copy to

THE SECTION OFFICER,
VR SECTION, HIGH COURT, CHENNAI.

C.C. to M/S.G.K.R.PANDIAN, Advocate on payment of necessary
charges

+6 C.C. to M/S.V.NICHOLAS, Advocate Sr.Nos.6791 to 6795

Order

in

CMP.Nos.22770, 22771 & 22772 of 2017

in AS.Nos.271, 273 & 274 of 2016

Date :13/06/2018

From 26.2.2001 the Registry is issuing certified
copies of the Interim Orders in this format
KP(21/06/2018)