

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

MONDAY, THE 12TH DAY OF NOVEMBER 2018

THE HON'BLE MR. JUSTICE S.VAIDYANATHAN

A. No.7819 of 2018
in
O.P. No.423 of 2018

In the matter of the Arbitration
and Conciliation Act, 1996

1. A.Bonipas,
S/o.Arulappan,
2. V.Ponmozhi,
W/o.A.Bonipas,
1 & 2 are residing at
No.437/3, Selliammankoil Street,
Madhavaram, Chennai-600 060. Applicants/Petitioners

-Versus-

1. Shriram City Union Finance Ltd.,
rep. by its Authorised Representative,
having their office at
No.6, L.B.Road,
Sorrento Building, II Floor,
Adyar, Chennai-600 020.
2. Ravichandiran C.A.,
No.90, Peters Road,
New College Shopping Complex,
Royapettai, Chennai-600 014.
3. T.Anbalagan,
No.32, Nattumuthu Kumarappan Street,
Mylapore, Chennai-4. Respondents/Respondents

Application praying that this Hon'ble Court be pleased to
pass an order of appointment of an Advocate Commissioner to

receive and verify the alleged original trade loan agreement vide No.GEORGTF05270001 dated 25.05.2011 allegedly executed by the 2nd petitioner, along with the admitted signatures of the 2nd petitioner to the office of the hand writing expert attached to the Assistant Director (Documents) Forensic Sciences Department, Kamarajar Salai, Mylapore, Chennai-600 004 and collect the documents and file the report the aforesaid handwriting expert before this Hon'ble Court within a time fixed by this Hon'ble Court.

This application coming on this day before this Court for hearing the court made the following order:-

This application has been filed seeking to appoint an Advocate Commissioner to receive and verify the alleged original trade loan agreement vide No.GEORGTF05270001 dated 25.05.2011 allegedly executed by the 2nd petitioner, along with the admitted signatures of the second petitioner to the office of the hand writing expert attached to the Assistant Director (Documents) Forensic Sciences Department, Kamarajar Salai, Mylapore, Chennai-600 004 and collect documents and file the report the afore said hand writing expert before this Hon'ble Court within a time fixed by this Hon'ble Court.

It is seen that the exparte award passed by the erstwhile Arbitrator was set aside by this Court and the matter was remitted for fresh consideration. At this Juncture the claim made by the Applicant that the alleged original trade loan

agreement along with the admitted signature of the second petitioner shall be sent to the Forensic Department for expert opinion, cannot be adhered to, as the entire matter is before the present Arbitrator for arbitration proceedings Therefore, this Petition is closed, with liberty to the petitioner/applicants to make necessary application before the appropriate forum, if so advised.

Sd/-S.V.N.J

12.11.2018

//Certified to be a true copy//

Dated this the day of 2018
JJ 13/12/18

COURT OFFICER

From 25.09.2008 the Registry is issuing certified copies of the Order/Judgment Decree in this format.

सत्यमेव जयते

WEB COPY