

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

DATED: 21.02.2019

CORAM

**THE HONOURABLE Ms. JUSTICE P.T. ASHA**

C.R.P(PD).No.475 of 2019

&

C.M.P.No.3152 of 2019

1.V.Krishnaveni

2.V.Chandirasekar

3.Smt.M.Bharathi

...Petitioners

Vs

1.Smt.Mayathal

2.Smt.Jayanthi

3.R.Vadivelsamy

4.A.Senthil kumar

... Respondents

**Prayer:** Civil Revision Petition is filed under Article 227 of the Constitution of India, against the order and decretal order dated 20.07.2018 made in I.A.No.215 of 2018 in O.S.No.11 of 2015 on the file of the Subordinate Judge, Udumalaipettai.

For Petitioner : Mr.N.Ishtiaq Ahmed

**ORDER**

The above Civil Revision Petition is filed challenging the order passed by the Subordinate Judge, Udumalapet in dismissing the I.A.No.215 of 2018 in O.S.No.11 of 2015 which was an application that has been filed for a direction to the respondents to produce the original of the document No.4357/2012 dated 19.06.2012 executed by the father of the 2<sup>nd</sup> petitioner along with his grandmother in favour of the 2<sup>nd</sup> defendant.

2.Main purpose for taking out the application is to compare the disputed signature in the document filed as Document No.8 with Document No.4357/2012 dated 19.06.2012.

3.It is seen that earlier the revision petitioners had taken out an application in I.A.No.285 of 2017 for a direction to the respondents to produce the original sale deed standing in the name of the Vadivelsamy executed by his father and registered as Document No.4078/1994 on the file of the Sub-Registrar, Udumalpet, Tiruppur dated 05.12.1994. The impugned petition has been filed to compare the signature in both the documents.

4.As rightly observed by the learned Subordinate Judge, Udumalpet the petitioner could have taken out a consolidated petition to compare the document now sought to be compared in the earlier I.A.No.285 of 2017 instead of taking out truncated petitions which only results in protracting the proceedings.

5. That apart, it is also seen that in the first instance viz; in the plaint, the signature of the father has not been denied on the contrary the revision petitioners have contended that the document had been executed by their father and grandmother without considering the right of the petitioners to the suit properties. Only in the impugned petition they obliquely deny their father's signature.

I find no infirmity in the order passed by the Court below. In the result, the Civil Revision Petition is dismissed. There shall be no order as to costs. Consequently, connected Civil Miscellaneous Petition is also closed.

सत्यमेव जयते

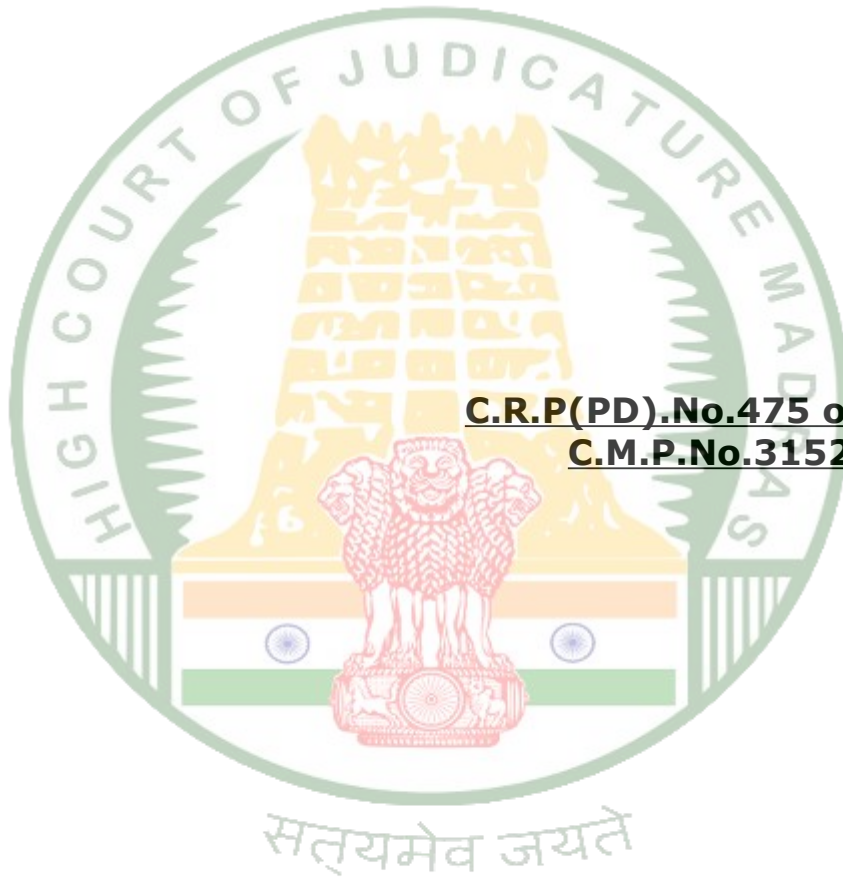
**21.02.2019**

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Index : Yes/No  
Speaking order/non-speaking order

To,  
The Subordinate Judge,  
Udumalaipettai.

**P.T.ASHA, J.,**

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