

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.03.2019

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

C.R.P(PD).No.818 of 2019
&
C.M.P.No.5363 of 2019

Raman

...Petitioner

Vs

Venkatesan

... Respondent

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India against the fair and decreetal order passed in I.A.No.570 of 2018 in O.S.No.93 of 2017 on the file of the Sub-Court, Uthangarai, Krishnagiri District.

For Petitioner : Mr.T.Thiruvengadam

ORDER

The above Civil Revision Petition is filed challenging the order passed by the learned Subordinate Judge, Uthangarai in I.A.No.570 of 2018 in O.S.No.93 of 2017, in and by which the

learned Judge has dismissed the application moved by the revision petitioner/defendant for seeking to send the signature in disputed promissory note for comparison with the documents filed into the Court in the form of vakalat, written statement, etc.,

2.The said application has been dismissed by the learned Subordinate Judge, Uthangarai, on the ground that the same is highly belated and has been moved after the examination of the plaintiff's side with the plaintiff examining P.W.1 to P.W.3 and despite time being granted, the revision petitioner/defendant had not come forward at the earliest point of time to take the said application.

3.Heard the counsel for the revision petitioner. From the papers it is seen that the defense has been taken by the revision petitioner as early as on 03.10.2017 and thereafter he has permitted the evidence of the plaintiff to go on and when the

matter was posted for defendant's evidence on 10.09.2018 the present application has been taken. The application was taken to have the signature compared with the documents a year later, after the filing of the written statement. I find no infirmity in the order passed by the learned Subordinate Judge, Uthangarai.

The Civil Revision Petition is dismissed. There shall be no order as to cost. Consequently, connected Civil Miscellaneous Petition is also closed.

04.03.2019

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

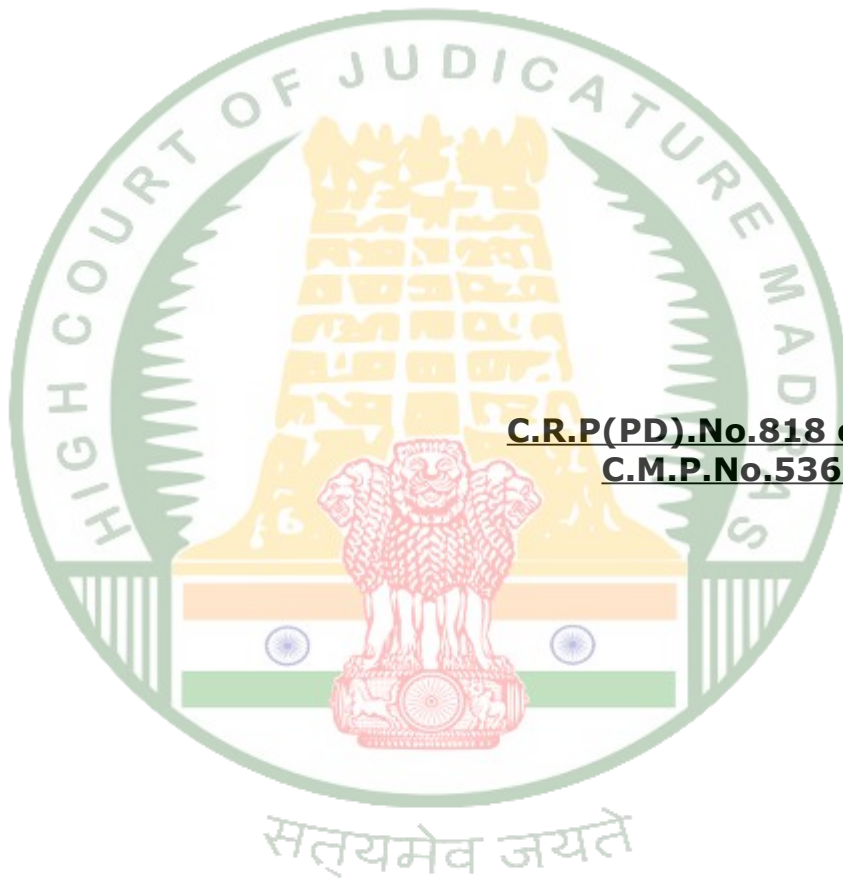
To,

The Subordinate Judge,
Uthangarai.

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P.T.ASHA, J.,

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