

A.No.9500 of 2019

in

C.S.No.546 of 2015

SENTHILKUMAR RAMAMOORTHY, J

This application is filed for permission to examine a new expert witness namely, Dr.Raguragavendra S, on behalf of the applicants/defendants in the suit.

2. I heard the learned counsel for the applicants/defendants.

3. The learned counsel for the applicants submitted that, earlier , an application was filed to examine witnesses, including Mr.M.Kasi, Assistant Director (Retired), Forensic Science Department, Government of Tamil Nadu. He further submitted that the said Mr.Kasi had given an expert opinion on the signatures on the Settlement Deed, dated 14.04.2016. Thereafter, the said Mr.Kasi died. Therefore, the applicants have taken out the present application to substitute Mr.Kasi, by a new witness namely, Dr.Raguragavendra S. Consequently, he submitted that no prejudice would be caused to the respondent/plaintiff, if the present application is allowed.

4. In response, the learned counsel for the respondent/plaintiff submitted that the affidavit in support of the application does not set out the credentials of the expert witness and that he does not appear to be from the Forensic Sciences Department of the Government of Tamil Nadu. On that basis, the application was opposed.

5. I considered the submissions of the learned counsel on both sides and examined the affidavit filed in support of the application.

6. Upon such consideration, it is clear that no prejudice would be caused to the respondent/plaintiff, if the new expert witness is examined. Even as regards the apprehension with regard to the credentials of the said expert, the learned counsel for the respondent can always cross-examine the said witness with regard to credentials as well as other aspects.

7. Therefore, this application is allowed and the applicants/defendants are permitted to examine Dr.Raguragavendra S, Managing Partner, Forensic and Biometric Investigation Services (FBIS), 96, II Floor, 100 ft Road, Vadapalani, Chennai-600 026 as an expert witness on behalf of the applicants/defendants. The said expert is also permitted to

produce an Expert Report subject to the right of the respondent/plaintiff to cross-examine him on the same.

Post the case before the I Additional Master on 18.12.2019.

10.12.2019

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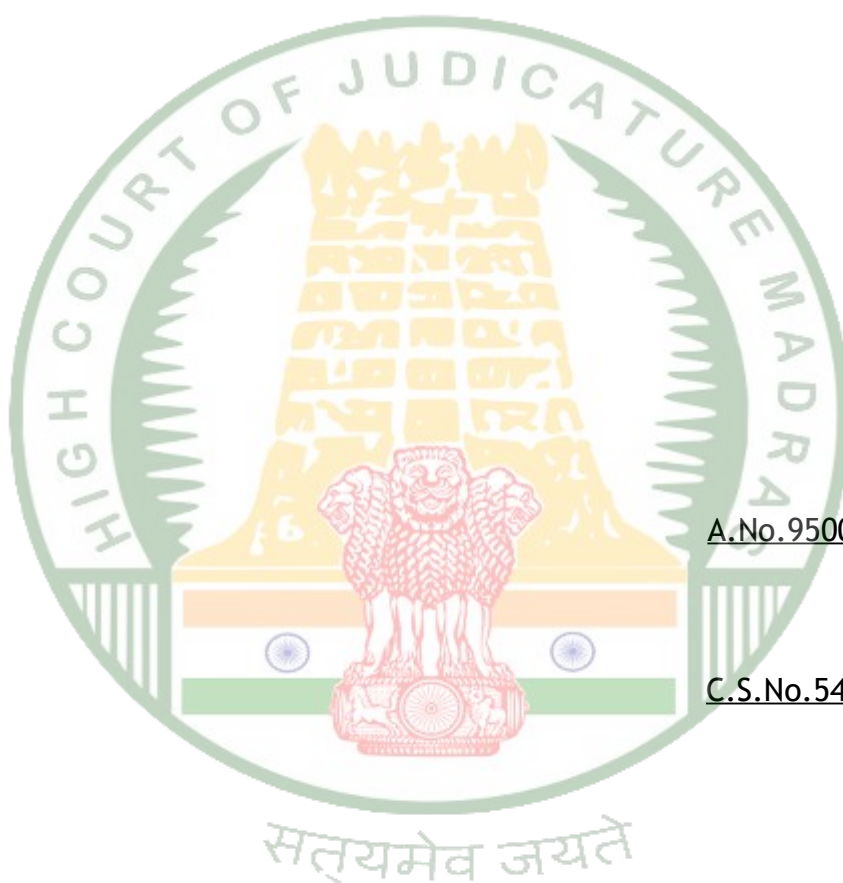


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