



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.09.2020

CORAM:

**THE HONOURABLE MR. JUSTICE N.SESHASAYEE**

C.R.P. (PD) (MD) No.1370 of 2013

&MP (MD).No.1 of 2013

WEB COPY

N.V.Govindarajan

...Revision petitioner/  
1st respondent/plaintiff  
Vs.

- 1.Meenatchi Sundaram
- 2.Nadarajan
- 3.Ramamoorthy
- 4.Shella

5.M/s.Arulmurugan Spinning Mills(P) Ltd,  
through its Managing Director,  
P.Ponnusamy, Dharapuram Road,  
Ottanchatram, Dindigul District.

6.The Government Pleader,  
District Court Campus,  
Dindigul.

- 7.V.S.K.Subramanian
- 8.Kavitha
- 9.Sivashanmyugam
- 10.Saroja

11.Amman Teacher Training Institute,  
through its Executive V.S.Vijaykumar,  
Bye-pass Road, Nandavanapatti,  
Dindigul.

12.M/s P.L.A. Motors by its,  
Managing Director S.P.Annamalai,  
Bye-pass Road, Nandavanapatti,  
Dindigul.

13.The Sub Registrar Joint No.1,  
Dindigul.

14.N.Subbulakshmi ... Respondents/Petitioners 1 to 4  
and Respondents 2 to 12/  
defendants.

**PRAYER:** The Civil Revision Petition is filed under Article 227 of the Constitution of India against the order dated 30.04.2013 made in I.A.No.131 of 2013 in O.S.No.57 of 2009 on the file of the Court of the Addl District Judge, Dindigul.



For Petitioner : Mr.M.S.Balasubramania Iyer  
For Respondents :  
For R1 to R4 : Mr.M.R.Sreenivasan  
For Respondent No.13 : Mr.K. Sathiya Singh, AGP  
For R-14 : Mr. S.J. Chakravarthy

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**ORDER**

The plaintiff in O.S.No.57 of 2009 has challenged the order in I.A.No.131 of 2013 passed by the trial Court.

2.In this case, defendants 2 to 5 have filed I.A.No.131 of 2013 for obtaining experts opinion over a certain disputed signature. The defendants have produced Ext.B.6 & Ext.B.7, which according to them is executed by the plaintiff/revision petitioner. When confronted to the revision petitioner, he has disputed it and it has been brought on record. This document appears to be the critical document to the case of the defendants. Since they are denied, the aforesaid defendants have filed an interlocutory application for appointing an expert to compare the disputed signature with the admitted signature in Ext.B.3 and Ext.C.1. This was allowed by the learned District Judge Vide his order dated 30.04.2013. Challenging the same, the revision petitioner/plaintiff has come before this Court with this Civil Revision Petition.

3.Heard, the learned counsel for the revision petitioner. This Court also went through the grounds stated in the memorandum of the revision petition.

4.Appointing a Commissioner is an incidental proceeding, where the trial Court has considerable discretion. It is an aid for advancing the cause on justice and unless specific rights of the parties are affected thereby, this Court may not be interested in interfering with the order of the Court below.

5.This Court does not find any merit in the Civil Revision Petition and it is accordingly, dismissed and the order dated 30.04.2013 made in I.A.No.131 of 2013 in O.S.No.57 of 2009 on the file of the Court of the Addl District Judge, Dindigul is upheld. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



1. Additional District Judge,  
Dindigul.

2. The Section Officer (2 COPIES)  
V.R.Section, Madurai Bench of Madras High Court,  
Madurai

+1 CC to SPL GP ( SR-17148[F] dated 16/09/2020 )

+1 CC to MR.S.J.CHAKKARAVARTHY, Advocate ( SR-17174[F] dated  
16/09/2020 )

+1 CC to MR.R.NANDAKUMAR, Advocate ( SR-17186[F] dated 16/09/2020 )

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