



signature of the first respondent found in the settlement deed with the admitted signature of the first respondent in Sale deed No.5272/2007 on the file of Sub-Registrar, Dindigul 2.

4. The learned counsel for the petitioners would contend that the learned trial Judge failed to consider the nature of the relief sought for, but only focussed on the point that this Court in C.R.P.No.3858 of 2015 has passed an order dated 14.03.2019 giving a direction to dispose of the case within a stipulated time. Therefore, which caused much prejudice to them and therefore, they have filed the present Civil Revision Petitions.

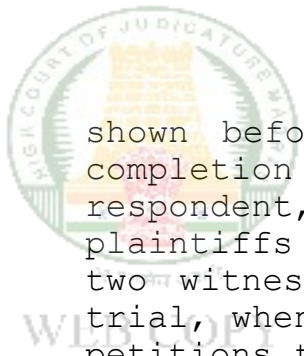
5. The learned counsel for the petitioners would further contend that the first respondent was examined as P.W.1 and during cross-examination, the document in which he was one of the attestors to the document was shown to him and he denied the signature found in the said document and therefore, the petitioners have filed the application to send for the document in I.A.No.6 of 2020 that too the sale deed executed by one Amal Raj in favour of the first respondent dated 25.10.2007 and therefore, one opportunity should be given to establish their case.

6. The learned counsel for the first respondent would submit that despite this Court passed an order in W.P(MD)No.3858 of 2015 dated 14.03.2019, when the trial was opened, on behalf of the respondents/plaintiff the first respondent was examined as P.W.1 and one more witness was examined and thereafter, the petitioners' side evidence was also over and the matter was posted for argument, in order to drag on the proceedings, the petitioners filed the present applications. Therefore, the trial Court has rightly accepted the contention of the respondents and dismissed the petitions and therefore, there is no merit in the C.R.Ps.

7. Heard the learned counsel for the petitioners and perused the materials placed before this Court.

8. Mr.T.Selvan, learned counsel appears for the first respondent. Though proof of service was filed, the other respondents did not appear.

9. Admittedly, the respondents filed the suit against the petitioners and others in O.S.No.286 of 2014. When the case pending for more than five years, one of the parties has approached this Court by filing a writ petition in W.P(MD)N.3858 of 2015 for speedy disposal of the suit. This Court has also given a direction to dispose of the case within a stipulated time. Thereafter, trial was commenced. The first respondent was examined as P.W.1 and documents were marked. During cross-examination, a question was put before him to show the document settlement deed in which he attested the document. When the document was shown and when his signature was



shown before him, he denied the signature. Subsequently, after completion of the cross-examination on the side of the first respondent, one more witness was examined and after closing the plaintiffs evidence, on the side of the petitioners side/defendants two witnesses were examined. Thereafter, after closing of the trial, when the matter was posted for argument, the petitioner filed petitions to re-open the case, to send for the sale deed executed in favour of the first respondent in the year 2007 and to compare the signature.

10. The petitioners have not taken any effective steps soon after the first respondent denying the signature during the cross-examination. The petitioners have not taken opportunity to prove the document within a stipulated time and only they allowed to examine the witnesses and till closing of the trial, they have not taken steps to file the documents. Even otherwise, in the settlement deed, not only the first respondent signed it and other persons have also signed as attestors and therefore, the petitioners ought to have examined other witnesses. In view of the directions given by this Court, the trial Court was constrained to dispose of the case, within a stipulated time. Therefore, the trial Court has rightly taken a view that till completion of the trial, the petitioners have not filed petitions and only after completion of trial and when the matter was posted for argument, the petitioners have filed these applications and therefore, dismissed the same.

11. On reading of the entire materials, as stated earlier, the first respondent was examined by the petitioners on 27.08.2019, but till 09.01.2020, for more than three months, the petitioners have not taken any effective steps despite this Court passed an order for disposal of the case within a stipulated time. Even otherwise also, as stated earlier, the petitioners would prove the document in the manner known to law, but they have not taken any steps to prove the document and only after trial, and at the time of argument, the petitioners have filed those applications.

12. Therefore, this Court is not inclined to interfere with the order passed by the learned trial Judge. This Court does not find any perversity in the order passed by the trial Court. Therefore, these C.R.Ps are dismissed. No Costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (Crl Side)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



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The Additional Sub-Court,
Dindigul.

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The Record Keeper,
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Madurai Bench of Madras High Court,
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+1 CC to M/s.S.C.HEROLD SINGH, Advocate (SR-9883[F] dated
03/03/2020)

+ 1cc to Mr.T.Selvan, ,Advocate, SR No.10230

C.R.P (PD)MD.Nos.282 to 284 of 2020

03/03/2020

KK/20.03.2020/ 4P- 6C

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