

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.02.2021

CORAM

THE HON'BLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

CRP.PD.No.2552 of 2007

and

CMP.No.1 of 2007

S.Somasundaram

..Petitioner

Vs.

A/M.Ellamai Akkirnar Temple
Chidambaram: Rep. by its Hereditary
Trustee, Pazhaniappa Chettiar,
No.11, Ellamai Akkirnar Temple Street,
Chidambaram

..Respondent

PRAYER:

The Civil Revision Petition is filed under Article 227 of the Constitution of India against order and decretal order dated 16.02.2007 made in IA.No.327 of 2006 in OS.No.64 of 2003 on the file of the Additional District Munsif Court at Chidambaram.

For Petitioner : Mr.Srinath Sridevan

For Respondent : No Appearance

ORDER

This civil revision petition is filed against order and decretal order dated 16.02.2007 made in IA.No.327 of 2006 in OS.No.64 of 2003 on the file of the Additional District Munsif Court at Chidambaram thereby dismissing the petition for seeking expert opinion on the lease deed dated 01.07.1979.

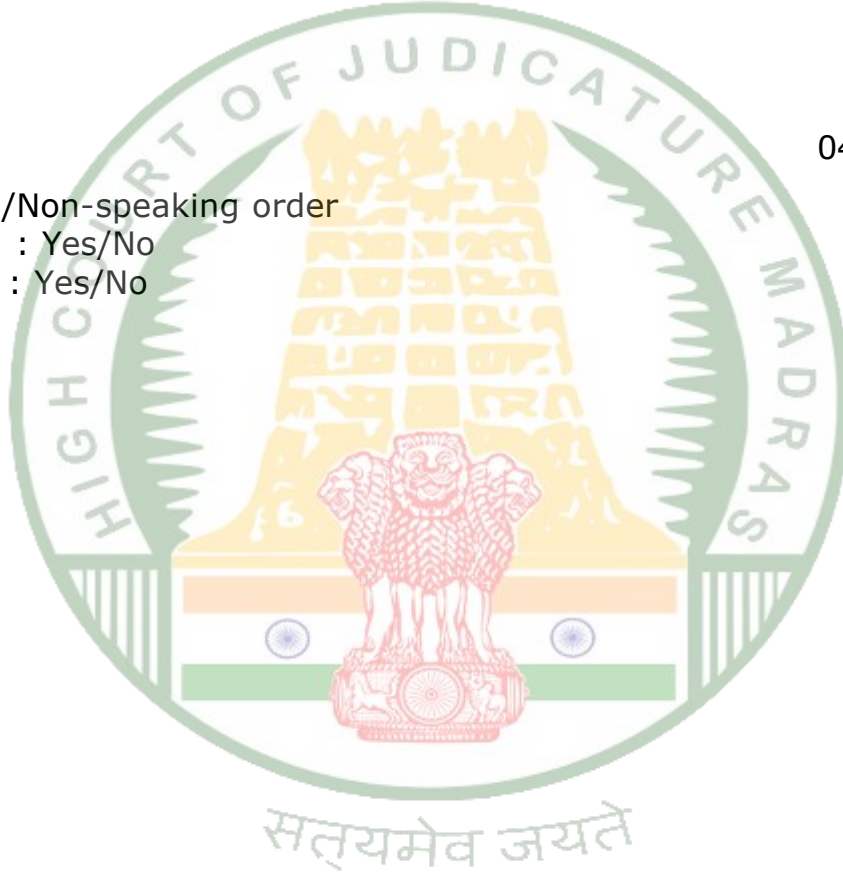
2. The learned counsel for the petitioner would submit that the trial court passed non speaking order without stating any reason. He further submitted that even in the written statement itself, the petitioner deny the lease deed dated 01.07.1979 allegedly executed by his father. He also denied the signature in the lease deed dated 01.07.1979.

3. The petitioner, after ordering notice by this Court, for the past 15 years did not take any step to issue notice to the respondent herein. However, on perusal of the records, the lease deed executed by the petitioner's father, now he cannot deny the signature of his father as forged one. Further the lease deed is dated 01.07.1979 and it has to be compared with the admitted signature. Therefore, the trial court rightly dismissed the petition and this Court finds no irregularity or infirmity in the order passed by the court below.

4. Accordingly, the civil revision petition is dismissed. However, considering that the suit is of the year 2003, the trial court is directed to dispose of the suit within a period of three months from the date of receipt of copy of this order, if not already disposed of. Consequently, connected miscellaneous petition is closed. No order as to costs.

04.02.2021

Speaking/Non-speaking order
Index : Yes/No
Internet : Yes/No
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G.K.ILANTHIRAIYAN,J.

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To

The Additional District Munsif Court
at Chidambaram.



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