

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.01.2021

CORAM

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

C.R.P.(PD).No. 3566 of 2015

and

MP.No.1 of 2015

1. C.Susai

2. S. Sagayamary

... Petitioners

Vs.

M. Natarajan

... Respondent

PRAYER: The Civil Revision Petition is filed under Article 227 of the Constitution of India praying to allow this Civil Revision Petition by setting aside the Order and Decretal order dated 22.06.2015 passed by the District Munsif Court at Thirukovilur in I.A.No.670 of 2014 in O.S.No.183 of 2012.

For Petitioners

: No Appearance

For Respondent

: Mr. S.Kumaresan

ORDER

This Civil Revision Petition is directed as against the order and decretal order in I.A.No.670 of 2014 in O.S.No.183 of 2012 on the file of the District Munsif Court, Thirukovilur, thereby, dismissing the petition filed by the petitioners to send for Ex.A-1 to get hand-writing expert's opinion.

2. The respondent/plaintiff filed the said suit in O.S.No.183 of 2012 for recovery of money as against the petitioners on the strength of the pro-note dated 30.06.2010 issued by the petitioners/defendants. The trial commenced, in which the respondent/plaintiff completed their evidence by examining P.W.1 to P.W.3 and marked Ex.A1 to A3. When the petitioners/defendants, on their side, were examining D.W.1 and D.W.2 and when the matter was posted for further evidence of the defendants, the petitioners/defendants have filed the said I.A. for sending Ex.A1 for hand-writing expert's opinion by denying their signature.

3. On a perusal of the documents, it is seen that the petitioners/defendants did not take any steps to file the present I.A. even before examining the witnesses. On a perusal of the written statement, it is clear that the petitioners categorically denied their signature found in Ex.A1. Even then, they did not file any petition to send for the document for hand-writing expert's opinion. At the fag end of trial, the petitioners filed this I.A. only to drag on the proceedings and nothing else. Therefore, the trial Court rightly dismissed the said I.A. As such, this Court finds no irregularity or infirmity in the impugned order passed by the trial Court.

4. At this juncture, the learned counsel for the respondent/plaintiff submitted that the suit is of the year 2012 and it is pending. Considering the above submission, the trial Court is directed to dispose of the suit within a period of three months from the date of receipt of a copy of this order.

5. With the above direction, the Civil Revision Petition is dismissed. Consequently, the connected Miscellaneous Petition is closed. No costs.

07.01.2021

Speaking Order: Yes/no

Index : Yes/No

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G.K.ILANTHIRAIYAN,J.

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To

The District Munsif, Thirukovilur.



CRP.PD.No. 3566 of 2015

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