

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.06.2021

CORAM

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

CRP.PD.No.2758 of 2018

and

CMP.No.16190 of 2018

Ponnusamy
Venkadachalamoorthi(deceased)
Gurusamy Gounder(deceased) ..Petitioner

Vs.

1.Chennimalai
2.Palanisamy
3.Kittuchamy
4.Chellammal ..Respondents

PRAYER:

The Civil Revision Petition is filed under Article 227 of the Constitution of India to set aside the order dated 27.02.2018 passed in IA.No.766 of 2017 in OS.No.184 of 2003 on the file of the District Munsif Court at Gobichettipalayam.

For Petitioner

: Mr.B.Ramkumar
for Mr.M.Naraayanaswamy

For Respondents : No appearance

ORDER

This Civil Revision Petition is filed against the order dated 27.02.2018 passed in IA.No.766 of 2017 in OS.No.184 of 2003 on the file of the District Munsif Court at Gobichettipalayam, thereby dismissing the petition for seeking second opinion from the handwriting expert.

2. The petitioners are the plaintiffs and the respondents are the defendants. The petitioners filed suit for declaration and permanent injunction in respect of the suit property. The respondents filed their written statement in the year 2003 itself. While pending the suit, the petitioners filed petition to send for Will to compare the left thumb impression found in the said Will with the admitted thumb impression. The said application was allowed and obtained handwriting expert opinion. Again, the plaintiffs filed petition for sending the very same document for getting second opinion for better appreciation.

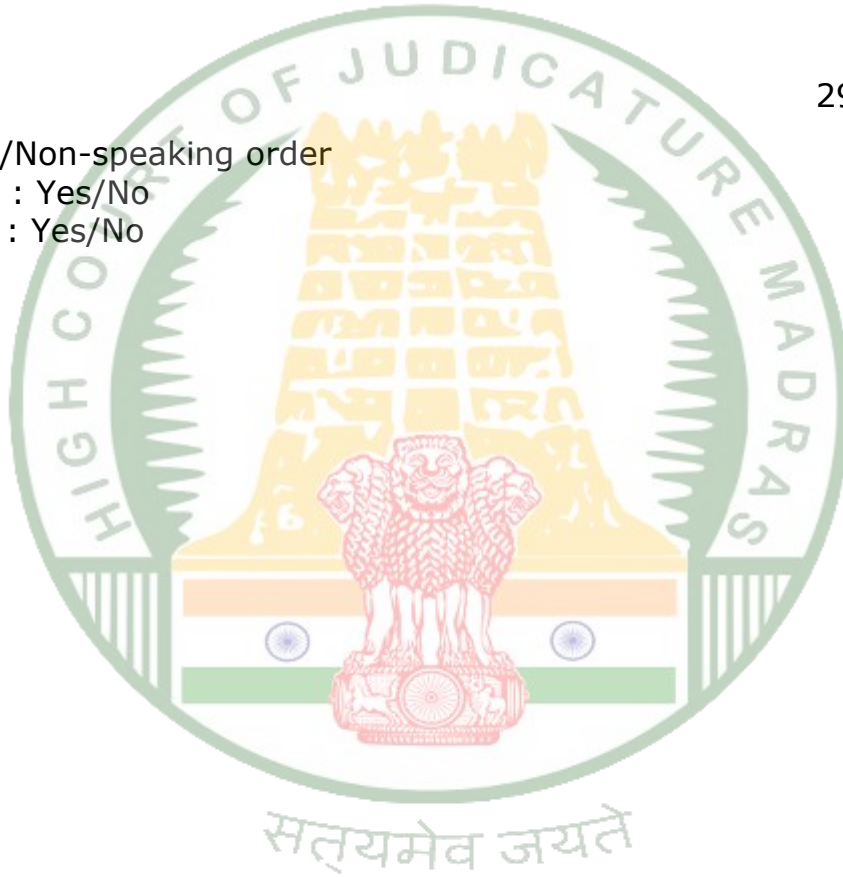
3. It is seen that the first application was filed and handwriting opinion was received on 19.03.2012 itself. After period of six years, again the petitioners sought for very same relief, that too, for second opinion. Therefore, the court below rightly dismissed the petition and this Court finds no infirmity or illegality in the order

passed by the court below.

4. Accordingly, this civil revision petition is dismissed. Consequently, connected miscellaneous petition is closed. No order as to costs.

29.06.2021

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

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To

The District Munsif,
at Gobichettipalayam.



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