

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.07.2021

CORAM

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

C.R.P.(PD)No.2898 of 2018
and C.M.P.No.16973 of 2018

K.Pandurangan ... Petitioner

Vs.

P.Sulochana ... Respondent

Prayer :- Civil Revision Petition is filed under Article 227 of the Constitution of India to set aside the fair and decreetal order dated 26.04.2018 made in I.A.No.246 of 2018 in O.S.No.423 of 2014 on the file of the Principal District Munsif Court, Poonamallee.

For Petitioner : Mr.S.Janarthanam

ORDER

This Civil Revision Petition is directed as against the fair and decreetal order dated 26.04.2018 passed by the learned Principal District Munsif, Poonamallee in I.A.No.246 of 2018 in O.S.No.423 of 2014, thereby dismissing the petition to get expert opinion.

2. The petitioner is the plaintiff and the respondent is the defendant. The petitioner filed suit in O.S.No.423 of 2014 for specific performance on the strength of the agreement for sale dated 17.11.1997. The suit was tried by the Court below and both sides evidences were closed. At that juncture, the petitioner filed petition in I.A.No.246 of 2018, to send Ex.A.2, vakalath, written statement and deposition of P.W.1 to compare the signature by the Director of Forensic Sciences and submit report. The trial Court dismissed the said petition as against which, the present Civil Revision Petition.

3. It is seen from the records that after closing both sides evidences, when the suit was posted for arguments, the present petition has been filed. It shows that the petitioner filed the petition only with malafide intention to drag the proceedings that too at the end of the trial. The suit is of the year 2014 and he filed the present petition in the year 2018. That apart, the respondent deposed that the signature found in the Ex.A.2 was obtained in the blank papers and thereafter fabricated by the plaintiff. Therefore the respondent never denied her signature found in

the Ex.A.2. Hence no purpose would be served, if the documents send for the expert opinion as such, the Court below rightly dismissed the petition. This Court finds no infirmity or illegality in the order passed by the Court below.

4. Accordingly, the Civil Revision Petition stands dismissed. Consequently, connected miscellaneous petition is closed There shall be no order as to costs.

23.07.2021

Internet : Yes

Index : Yes/No

Speaking order/Non-speaking order

rts

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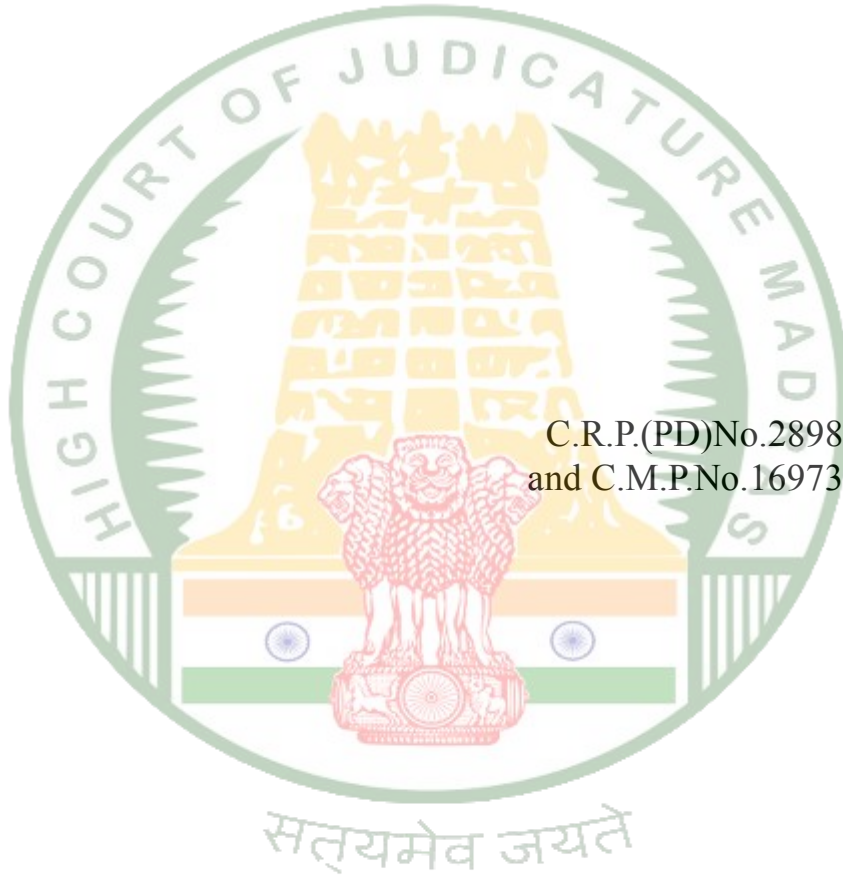
1. The Principal District Munsif,
Poonamallee.

2. The Section Officer,
V.R. Section,
Madras High Court,
Chennai.

C.R.P.(PD)No.2898 of 2018

G.K.ILANTHIRAIYAN, J.

rts



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