

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.06.2021

CORAM

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

**C.R.P.(PD) No. 4027 of 2018
and CMP No.22282 of 2018**

Parul Rajendra R.Shah

...

Petitioner

Vs

1.Suresh V.Shah, HUF
rep by Kartha Suresh V.Shah

Anil R.Shah (died)

2.Sachin A. Shah

3.Nirav A. Shah

4.Aatish A. Shah

(Cause title accepted vide Court
order dated 19.11.2018 made in
CMP No.20320 of 2018 in
CRP SR 58615 of 2018 (MSRJ))

...

Respondents

Prayer :- Civil Revision Petition is filed under Article 227 of Constitution of India, to set aside the fair and decreetal order dated 06.06.2018 made in I.A.No.4224 of 2015 in O.S.No.6328 of 2011 on the file of the III Assistant Judge, City Civil Court, Chennai.

For Petitioner	:	M/s.Subhashini
For R1	:	Mr.Shah and Shah for P.Hari Hara Mohadevan
For R2 to R4	:	No appearance

ORDER

This Civil Revision Petition is filed against the fair and decreetal order 06.06.2018 made in I.A.No.4224 of 2015 in O.S.No.6328 of 2011 on the file of the III Assistant Judge, City Civil Court, Chennai, thereby dismissing the petition filed to send Exs.A1, A2 to A6, A8, A10, A11 & A12 and seek for an opinion from the forensic experts.

2. The petitioner is the first defendant and the first respondent is the plaintiff. The first respondent filed a suit for recovery of money on the pro-note executed by the husband of the petitioner herein. The petitioner filed written statement and specifically stated that she is a widow of the said Rajendra R.Shah, who borrowed a sum of Rs.2,00,000/- from the first respondent on execution of the pro-note dated 08.06.1999. Further the case of the petitioner is that he repaid the entire amount agreed as acknowledged and confirmed by the first respondent herein. When the suit was posted for cross examination of defendants side witness, the petitioner come forward with a petition to send the admitted signatures of the husband to compare with the signatures found in the Exs.A1, A2 to A6, A8, A10, A11 & A12. That apart Exs.A1, A2 to A6, A8, A10, A11 & A12 were all xerox copies,

which were mechanically reproduced using photo copies of signature of her husband.

3. Under these circumstances, no purpose would be served to send the documents which are sought for by the petitioner herein. The signatures of the husband noticed by the petitioner in the documents were mechanically reproduced using photo copies of the signature of her husband. Therefore, this Court finds no infirmity or illegality in the order passed by the Court below. Accordingly, the Civil Revision Petition is dismissed. No order as to costs. Consequently, connected Miscellaneous Petition is closed.

24.06.2021

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Index: Yes/No

Internet: Yes/No

Speaking Order: Yes/No

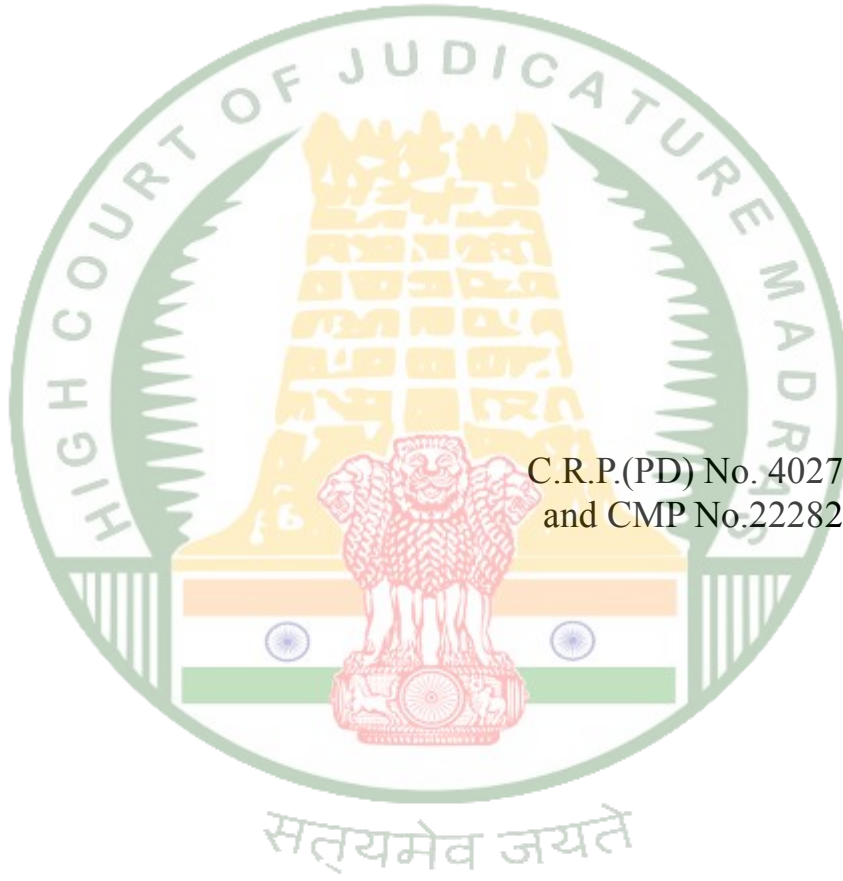
To

The III Assistant Judge,
City Civil Court, Chennai.

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G.K.ILANTHIRAIYAN.J,

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