



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.10.2021

CORAM :

THE HONOURABLE MRS.JUSTICE S.ANANTHI

C.R.P.(MD)No.1492 of 2021
and
C.M.P.(MD)No.8259 of 2019

Ganesan ... Petitioner/Petitioner/
Defendant

vs.

Jebasthian Jebakumar ... Respondent/Respondent/
Plaintiff

PRAYER: Petition filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order in I.A.No.14 of 2021 in O.S.No.252 of 2012, dated 13.08.2021 on the file of the I Additional District Munsif Court, Tirunelveli and allow this Civil Revision Petition.

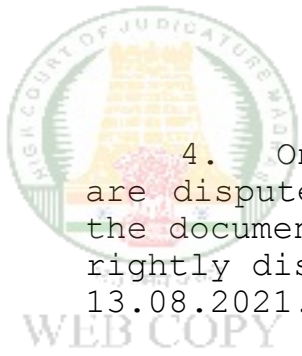
For Petitioner : Mr.P.Suresh
For Respondent : Mr.V.Balaji

O R D E R

The Civil Revision Petition has been filed by the revision petitioner against the fair and decreetal order, dated 13.08.2021 in I.A.No.14 of 2021 in O.S.No.252 of 2012, passed by the learned I Additional District Munsif, Tirunelveli.

2.The respondent herein/plaintiff has filed a suit in O.S.No.252 of 2012 for eviction. During the pendency of the suit, the petitioner herein/defendant has filed a petition in I.A.No.14 of 2021 in O.S.No.252 of 2012, under Order 26 Rule 10A of C.P.C., and Section 45 of Indian Evidence Act, seeking comparison of signatures found in Ex.B.1 & B.7 on the file of the I Additional District Munsif Court, Tirunelveli, and the same was dismissed on 13.08.2021. Against the aforesaid order, the revision petitioner is before this Court.

3.Heard on either side and perused the material documents available on record.



4. On perusal of documents, both the documents Ex.B.1 & B.7 are disputed by the plaintiff. Hence, the Court below cannot send the documents for getting expert opinion. Hence, the Court below has rightly dismissed the I.A.No.14 of 2021 in O.S.No.252 of 2012, dated 13.08.2021.

5. Accordingly, this Civil Revision Petition stands dismissed by confirming the fair and decreetal order, dated 13.08.2021 in I.A.No.14 of 2021 in O.S.No.252 of 2012, passed by the learned I Additional District Munsif, Tirunelveli. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

ksa

Note :In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate/litigant concerned.

To

- 1) The I Additional Disrit Munsif,
Tirunelveli.
- 2) The Section Officer,
V.R.Section,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.P.PON KARTHIKEYAN, Advocate (SR-33144[F] dated 29/10/2021)

C.R.P(MD)No.1492 of 2021
27.10.2021

MGJ/JGB(15.11.2021) 2P 5C