



C.R.P.No.3783 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

C.R.P.No.3783 of 2022
and C.M.P.No.19926 of 2022

R.Sivanesan

... Petitioner

VS

R.Venugopal

... Respondent

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, praying to set aside the order dated 17.08.2022 passed by the learned Principal Sub Judge, Puducherry I.A.No.205 of 2022 in O.S.No.99 of 2021.

For Petitioner : Mr.S.Sarath Chandran
Mr.G.Balachandar

ORDER

The Civil Revision Petition is filed challenging the order passed by the Court below appointing Advocate Commissioner to take disputed signature found in Sale Deed dated 04.06.1998 and the admitted signature of the petitioner for comparison before the Tamil Nadu Government Forensic Lab, Chennai.

2. The learned counsel for the petitioner submitted that the petitioner



C.R.P.No.3783 of 2022

herein filed a suit for declaration that the Sale Deed dated 04.06.1998 is null and void and for the consequential reliefs. Pending suit, the petitioner filed an application seeking appointment of the Advocate Commissioner to take disputed document and admitted signature of the petitioner for comparison to Central Forensic Laboratory (CFL), Hyderabad. The Court below partly allowed the said application. However, instead of sending the samples to Central Forensic Laboratory (CFL), Hyderabad, the Advocate Commissioner was directed to produce it before the Tamil Nadu Government Forensic Lab, Chennai. Aggrieved by the same, the petitioner is before this Court.

3. The petitioner who is seeking comparison of disputed signature with the admitted signature, cannot chose laboratory of his choice. Even though the petitioner sought for a direction to send it to Central Forensic Laboratory (CFL), Hyderabad, the Court below thought it fit to send it to Tamil Nadu Government Forensic Lab, Chennai. When the admitted signature and the disputed signature are sent to one of the Government Laboratory for comparison, the petitioner cannot impugne the same by stating that the Court below had not sent it to the laboratory of his choice. Therefore, finding no



C.R.P.No.3783 of 2022

illegality or irregularity in the order passed by the Court below.

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4. Accordingly, the Civil Revision Petition is dismissed. No costs.

Consequently, the connected CMP is closed.

21.11.2022

Index : Yes / No
Speaking Order : Yes / No
dm

To

The Principal Sub Judge,
Puducherry.



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C.R.P.No.3783 of 2022

S.SOUNTHAR, J.

dm

C.R.P.No.3783 of 2022

21.11.2022