



.BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :16.02.2022

CORAM:

THE HONOURABLE MRS. JUSTICE S.ANANTHI

C.R.P. (MD).No.1820 of 2021

and

C.M.P (MD)No.9755 of 2021

Rajendran

...Petitioner/Petitioner/Defendant

Vs.

Ravichandran

...Respondent/Respondent/Plaintiff

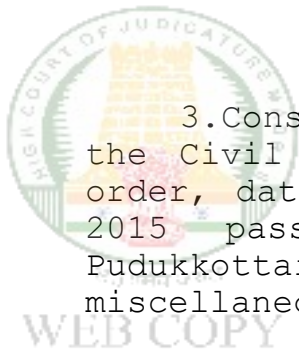
PRAYER : This Civil Revision Petition is filed under Article 227 of the Constitution of India, to call for the records of the Additional Subordinate Judge, Pudukkottai made in I.A.No.240 of 2021 in O.S.No.96 of 2015 and to set aside the fair and decreetal order, dated 07.08.2021.

For Petitioner : Ms.S.Prabha
For Respondent : No Appearance

O R D E R

This Civil Revision Petition has been filed to set aside the fair and decreetal order dated 07.08.2021 made in I.A.No.240 of 2021 in O.S.No.96 of 2015 on the file of the learned Additional Subordinate Judge, Pudukkottai.

2.The said I.A.No.240 of 2021 in O.S.No.96 of 2015 was filed by the revision petitioner/defendant for sending Ex.A1 for expert opinion for signature comparison with the sale deed executed by the petitioner, dated 21.08.2012 under Section 45 of Evidence Act, which was dismissed on the ground that the suit was filed in the year 2015 and after three and half years the said I.A.No.240 of 2021 was filed. The petitioner/defendant in his written statement in the year 2017, has denied his signature in the pro-note. Though the trial Court dismissed the petition only on the ground of delay, the respondent/plaintiff has not taken any steps to prove his signature. The petitioner/defendant has only filed this Civil Revision Petition.



3.Considering the above facts and circumstances of the case, the Civil Revision Petition is allowed. The fair and decreetal order, dated 07.08.2021 made in I.A.No.240 of 2021 in O.S.No.96 of 2015 passed by the learned Additional Subordinate Judge, Pudukkottai, is hereby set aside. No costs. Consequently connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

vsd

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

The Additional Subordinate Judge,
Pudukkottai.

C.R.P. (MD).No.1820 of 2021
16.02.2022

MGJ(15.03.2022) 2P 2C