



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.03.2022

CORAM

WEB COPY

THE HONOURABLE MRS.JUSTICE S. ANANTHI

CRP(MD).Nos.1901 to 1903 of 2021 and
CMP(MD).No.10260 of 2021 in CRP(MD).No.1901 of 2021

M.Sekar .. petitioner/Petitioner/2nd Defendants

Vs.

A.Murugan .. Respondent/Respondent/Plaintiff

Common Prayer: These Civil Revision Petitions are filed under Article 227 of the Constitution of India as against the order and decree dated 10.11.2021 made in I.A.Nos.1 to 3 of 2021 in O.S.No.149 of 2019 on the file of the District Munsif Court, Rajapalayam.

For Petitioner in all CRPs ... Mr.M.Thirunavukkarasu

For respondent in all CRPs ... No appearance

COMMON ORDER

These Civil Revisions are filed by the revision petitioner / 2nd defendant against the order dated 10.11.2021 made in I.A.Nos.1 to 3 of 2021 in O.S.No.149 of 2019 on the file of the District Munsif Court, Rajapalayam.

2. Heard the learned counsel appearing for the petitioner and perused the materials available on record. Though the notice served on the respondent and his name is also printed in the cause list no one appeared either in person or through counsel.

3. The respondent / plaintiff denied the signature and finger print in the sale deed dated 25.11.2002, which was alleged to have been executed by the plaintiff to the defendant. According to the plaintiff, the finger print can be compared with his present finger print. The trial Court dismissed these petitions on the ground that there is a long delay in filing these petitions, even after closing of evidence. However, in the plaint the plaintiff denied the signature and finger print in the sale deed, he has not taken any steps to prove the signature and finger print.

4. It is necessary to compare the finger print in the disputed sale deed with the finger print in the plaint of the plaintiff. Since the comparison only with the finger print the



petition to send for documents filed in I.A.No.2 of 2021 is not necessary. The learned District Munsif can obtain finger print from the plaintiff and send for comparison along with disputed documents.

5. In the result,

(i) CRP(MD).Nos.1901 and 1903 of 2021 are allowed and the order passed in I.A.Nos. 1 and 3 of 2021 in O.S.No.149 of 2019 on the file of the District Munsif Court, Rajapalayam is set aside.

(ii) CRP(MD).No.1902 of 2021 is dismissed confirming the order passed in I.A.No.2 of 2021 in O.S.No.149 of 2019 on the file of the District Munsif Court, Rajapalayam.

No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

To

The District Munsif, Rajapalayam, Viruthunagar district

+1 CC to M/s.M.THIRUNAVUKKARASU, Advocate (SR-9643[F] dated 03/03/2022)

CRP(MD).Nos.1901 to 1903 of 2021 and
CMP(MD).No.10260 of 2021 in CRP(MD).No.1901 of 2021
02.03.2022

NSN(CO)

KB(16.03.2022) 2P 3C