



WEB COPY



CRP.No.2594 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.02.2023

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

CRP.No.2594 of 2019 and
CMP.No.17081 of 2019

1.R.Saraswathi

2.M.N.Ramalingam

... petitioners

Vs.

UCO Bank,
Rep. by Branch Manager,
P.G.Krishnakumar,
Udhagamandalam Branch,
UCO Bank,
Udhagamandalam.

... Respondent

PRAYER:

Civil Revision Petition filed under Article 227 of the Constitution of India to allow the civil revision petition by setting aside the fair and decretal order dated 13.03.2019 passed in IA.No.21 of 2019 in OS.No.147 of 2016 on the file of the learned Subordinate Juge at Udhagamandalam.

For Petitioners : Mr.S.Sabarish

For Respondent : No appearance

ORDER

This civil revision petition has been filed to set aside the fair and decretal order dated 13.03.2019 passed in IA.No.21 of 2019 in OS.No.147 of 2016 on the file of the learned Subordinate Juge at Udhagamandalam, thereby allowed



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the petition and directed to submit documents of 15 admitted signatures in order to get expert opinion.

2. Though notice was served, no one appeared on behalf of the respondent before this Court in person or through pleader.

3. The petitioners are the defendants in the suit filed by the respondent for recovery of money. While pending the suit, the petitioners filed petition to send their admitted signatures in the documents which were marked as Ex.A1 to Ex.A3 and the admitted signatures of the contemporaneous documents, which were marked as Ex.B1 to Ex.B5 with the disputed signature in Ex.A4 to Ex.A7 to the Forensic Science Department, Chennai for expert's opinion by comparing the signature found in both the documents. Though the trial court allowed the petition, directed the petitioner to submit documents containing 15 signatures.

4. The court below can very well send the documents Ex.A1 to Ex.A3 and the admitted signatures of the contemporaneous documents Ex.B1 to Ex.B5 with the disputed signatures for expert opinion.



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5. In view of the above, the fair and decretal order dated 13.03.2019 passed in IA.No.21 of 2019 in OS.No.147 of 2016 on the file of the learned Subordinate Juge at Udhagamandalam is set aside insofar as direction directing the petitioners to submit recent documents containing 15 signatures alone. The trial court is directed to send for the admitted signatures found in Ex.A1 to Ex.A3 and the admitted signatures of the contemporaneous documents Ex.B1 to Ex.B5 along with the disputed signatures in Ex.A4 to Ex.A7 for handwriting expert's opinion.

5. Accordingly, this civil revision petition is allowed. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

09.02.2023

Speaking/non-speaking
Index : Yes/No
Internet : Yes
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G.K.ILANTHIRAIYAN, J.

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To

1.The learned Subordinate Judge
at Udhagamandalam

2.Branch Manager,
UCO Bank,
P.G.Krishnakumar,
Udhagamandalam Branch,
UCO Bank,
Udhagamandalam.

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