



C.R.P.Nos.2741 & 2742 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.01.2023

CORAM

THE HON'BLE Mr. JUSTICE **G.K.ILANTHIRAIYAN**

C.R.P.No.2741 & 2742 of 2019

P.Krishnamurthy

... Petitioner in both CRPs

Vs

S.Velmani

... Respondent in both CRPs

Prayer in CRP No.2741 of 2019 :- Civil Revision Petition is filed under Article 227 of Constitution of India to set aside the fair and decreetal order dated 10.07.2018 in I.A.No.184 of 2018 in I.A.No.480 of 2017 in O.S.No.106 of 2016 passed by the learned Subordinate Judge, Udumalpet.

Prayer in CRP No.2742 of 2019 :- Civil Revision Petition is filed under Article 227 of Constitution of India to set aside the fair and decreetal order dated 12.04.2019 in I.A.No.682 of 2018 in I.A.No.480 of 2017 in O.S.No.106 of 2016 passed by the learned Subordinate Judge, Udumalpet.

In both CRPs

For Petitioner : Mr. KTS. Sivakumar
For Respondent : Mr. C.Kesan
for Mr.D.R.Arun Kumar



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COMMON ORDER

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CRP.No.2742 of 2019

This Civil Revision Petition has been filed to set aside the fair and decreetal order dated 12.04.2019 passed in I.A.No.682 of 2018 in I.A.No.480 of 2017 in O.S.No.106 of 2016 on the file of the Subordinate Judge, Udumalpet, thereby dismissing the petition seeking handwriting expert opinion.

2. The revision petitioner is the defendant and the respondent is the plaintiff. The respondent filed a suit for recovery of money on the strength of the Pronote dated 10.10.2014. However, the petitioner had taken a specific stand that the petitioner never issued any cheque and also disputed signature found in the cheque. Therefore, the petitioner filed a petition seeking handwriting expert opinion on the pronote. When the respondent filed a suit for recovery of money on the strength of the pronote, he has to prove his case.

3. That apart, the petitioner filed a petition after petition to drag on the proceedings. The Court below rightly dismissed the petition. Hence, this Court finds no infirmity or illegality in the order dated 12.04.2019 passed in I.A.No.682 of 2018 in I.A.No.480 of 2017 in



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O.S.No.106 of 2016 on the file of the Subordinate Judge, Udumalpet.

Accordingly, this Civil Revision Petition stands dismissed. No costs.

CRP No.2741 of 2019

4. This Civil Revision Petition has been filed to set aside the fair and decreetal order dated 10.07.2018 passed in I.A.No.184 of 2018 in I.A.No.480 of 2017 in O.S.No.106 of 2016 on the file of the Subordinate Judge, Udumalpet, thereby dismissing the petition seeking hand writing expert opinion.

5. The petitioner filed a petition to call for the written statement filed by some other person as against the petitioner for recovery of money and to compare the signature found in the said written statement and as well as the pronote dated 10.10.2014.

6. In view of the dismissal of CRP No.2742 of 2019, the CRP No.2741 of 2019 is dismissed. No costs.

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Index: Yes/No
Internet: Yes/No
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G.K.ILANTHIRAIYAN, J.



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To

The Subordinate Judge,
Udumalpet.



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