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A.No.2544 of 2024
in C.S.No.62 of 2022



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Judgment reserved on 30.08.2024	Judgment pronounced on 28.10.2024
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RMT.TEEKAA RAMAN, J.

This application is filed by the applicant/defendant under Order XIV Rule 8 of Original Side Rules read with Section 73 3of Indian Evidence Act 18972 and read with Section 151 of CPC to refer the letters dated 03.11.2013 and 27.11.2016 signed by the applicant to the Forensic Science Department, Government of Tamil Nadu to find out the nature of applicant's signatures in comparison with the applicant's admitted signatures dated 20.06.2016 bearing Cheque No.000248 drawn on HDFC Bank.

2. Defendant is the applicant herein and the respondent is the plaintiff.

3. Heard the learned counsel for the applicant as well as respondent and perused the materials on record.



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4. The applicant/defendant has filed this application disputing the signatures contained in the plaint documents dated 03.11.2013 and 27.11.2016 and hence he filed the present application to refer both the letters with the admitted signatures found in the cheque dated 20.06.2016 filed by the very same plaintiff Rajkumar Bal Singh.

9. The disputed signature and admitted signature are the plaint documents. To resolve the dispute, it is just to refer the documents to Forensic Science Department, Government of Tamil Nadu.

10. In view of the above, **Ms.Aswini Devi, K (Enrol.No.1049/2009), No.5, Law Chambers, High Court Buildings, Chennai – 600 104 (Mob.No.98405 63483 / 63819 66596, E-mail ID – law.aswini@gmail.com)** is appointed as Advocate Commissioner to collect the plaint documents from the Registry, namely the letters dated 03.11.2013 & 27.11.2016 and admitted signature contained in Cheque No.000248 drawn on HDFC Bank and to produce the same before the Forensic Science Department, Government of Tamil Nadu for comparing the same with the disputed signatures and obtain opinion from the handwriting expert of the



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Forensic Science Department, Government of Tamil Nadu, Chennai. The remuneration for the Advocate Commissioner is fixed as Rs.10,000/-. The learned Advocate Commissioner is required to file a report before the Registry in a sealed cover.

11. With the above directions, this application is allowed.

28.10.2024

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RMT.TEEKAA RAMAN, J.

rgt

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28.10.2024