



C.R.P.No.221 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.12.2025

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

C.R.P.No.221 of 2024
and C.M.P.No.1051 of 2024

G.Ramesh Kumar

... Petitioner

VS.

B.Thulasiraman

... Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to set-aside the order passed in I.A.No.3 of 2021 in O.S.No.117 of 2017 dated 18.10.2023 on the file of the Additional District Judge (FTC), Vellore, Vellore District.

For Petitioner : Mr.K.G.Senthil Kumar

For Respondent : Mr.Koviramalingam

ORDER

The Civil Revision Petition is filed challenging the order passed by the Trial Court in I.A.No.3 of 2021 in O.S.No.117 of 2017, dated 18.10.2023 allowing the application filed by the respondent/defendant seeking appointment of Advocate Commissioner for taking disputed Promissory Notes-Ex.A2 and Ex.A3 for comparison with admitted Promissory Note Ex.A1 for Forensic Science Laboratory Department and get opinion of an Expert.



C.R.P.No.221 of 2024

2. The petitioner herein filed a suit for recovery of money based on three Promissory Notes, which were described as A, B, C. The respondent filed a written statement admitting his signature in suit A-Promissory Note. It was his case though respondent denied his liability under Ex.A-Promissory Note, submitted that he signed only blank Promissory Note. As far as signatures in Promissory Note-B and C are concerned, it was specific case of the respondent that those signatures are forged one.

3. In view of controversy with regard to execution of Suit B and C Promissory Notes, the instant application has been filed by the respondent/defendant seeking appointment of Advocate Commissioner to take disputed Promissory Notes and admitted Promissory Note to Forensic Laboratory and get opinion of an Expert. The said application was allowed by the Trial Court. Aggrieved by the same, the petitioner has come before this Court.

4. The learned counsel appearing for the petitioner would submit that this application has been filed by the respondent when the suit is posted for cross examination of PW.1 and main object of the respondent is to drag on the suit proceedings.



C.R.P.No.221 of 2024

5. A close perusal of the pleadings of the parties would indicate there is a controversy with regard to the execution of suit B and C Promissory Notes. It is the specific case of the respondent/defendant that the signatures found in suit B and C Promissory Notes were forged signatures. In such circumstances, getting expert opinion with regard to the genuineness of signatures found in B and C-Promissory Notes would certainly reduce the oral and documentary evidence to be let in by the parties. The Trial Court rightly appreciated the position and allowed the application filed by the respondent. There is no irregularity or illegality in the order impugned in this revision.

6. Accordingly, the Civil Revision Petition is dismissed. No costs. Consequently, the connected civil miscellaneous petition is closed.

01.12.2025

Index : Yes / No
Speaking order : Yes / No
Neutral Citation : Yes / No
dm

To

The Additional District Judge (FTC),
Vellore, Vellore District.



WEB COPY



C.R.P.No.221 of 2024

S.SOUNTHAR, J.

dm

C.R.P.No.221 of 2024

01.12.2025