



C.R.P.No.5372 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.11.2025

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

C.R.P.No.5372 of 2025

and

C.M.P.No.27019 of 2025

Suseela
W/o Mr.Perarayayam,
Rep. by her Power of Attorney Aget namely Francis Aliss
S/o late Antonysamy aged about 53 years
At No.86, Thottaprasannapura, Virgo Nagar Post,
KR Puram, Bangalore-49, Karnataka State ... Petitioner

VS.

Mariyakorathi ... Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to set aside the Order and Decreetal Order dated 08.08.2025 passed in I.A.No.2 of 2025 in O.S.No.101 of 2015 by the District Munsif Cum Judicial Magistrate, Uthiramerur and allow I.A.No.2 of 2025 in O.S.No.101 of 2015 by allowing this C.R.P.

For Petitioner : Mr.N.Nagu Sah

ORDER



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The Civil Revision Petition is filed challenging the order passed by the District Munsif Cum Judicial Magistrate, Uthiramerur dismissing the application filed by the petitioner seeking certain clarifications from the Forensic Laboratory Expert regarding the questioned document in I.A.No.2 of 2025 in O.S.No.101 of 2015, dated 08.08.2025.

2. The respondent herein filed a suit against the petitioner, her principal and others for declaration of her title and consequential injunction. The respondent relied on the Sale Deed dated 29.01.1969 allegedly executed by one Sowriyappan in favour of one Lourdammal/mother-in-law of the respondent/plaintiff. The genuineness of the said document was disputed by the petitioner, who was arrayed as 5th defendant in the suit. Earlier, a petition was filed by the petitioner seeking expert opinion with regard to the Thumb Impression found in the questioned document. The said interlocutory application was allowed. However, the Forensic Laboratory returned the document on the ground that the petitioner failed to furnish admitted contemporaneous document for comparison. Thereafter, the instant application has been filed seeking certain clarification from the Forensic



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Laboratory with regard to the age of the document and genuineness of the Thumb Impression.

3. The petitioner already failed to produce any admitted contemporaneous document and therefore, comparison of the Thumb Impression found in the questioned document is not at all possible in the absence of admitted Thumb Impression. As far as age of the document is concerned, this Court in ***R.Jagadeesan vs. N.Ayyasamy*** reported in **2010 (1) CTC 224** categorically held that as on today, there is no method to determine the age of the document. The said decision was followed by me in ***P.Eswaran vs. K.Subramaniam*** reported in **MANU/TN/2836/2024**.

4. Since as on today, there is no scientific method to determine the age of the Ink found in the document, the clarification sought for by the petitioner cannot be answered by the Forensic Laboratory. In such circumstances, the Court below is justified in dismissing the application filed by the petitioner and I do not find any error in the impugned order in I.A.No.2 of 2025 in O.S.No.101 of 2015, dated 08.08.2025.



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5. Accordingly, the Civil Revision Petition is dismissed. No costs.

Consequently, the connected civil miscellaneous petition closed.

04.11.2025

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

To

The District Munsif Cum Judicial Magistrate,
Uthiramerur.



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S.SOUNTHAR, J.

dm

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