



WEB COPY

CRP No.5412 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-11-2025

CORAM

THE HONOURABLE MR.JUSTICE S. SOUNTHAR

CRP No. 5412 of 2025 and

CMP No.27232 of 2025

R.Sivanesan

... Petitioner

Vs.

R.Venugopal

... Respondent.

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India to set aside the order and decretal order dated 16.10.2025 in I.A.No.205 of 2022 in O.S.No.99 of 2021 on the file of Principal Sub Judge, Puducherry and allow the civil revision petition.

For Petitioner(s) : Mr.R.Kalaiyarasi

for Mr.S.Vijayakumar

ORDER

This civil revision petition is filed, challenging the order passed by the Court below, closing the application filed by the petitioner in I.A.No.205 of 2022 in O.S.,No.99 of 2021, seeking appointment of Advocate Commissioner to take the impugned sale deed dated 04.06.1998 and admitted signature of the petitioner taken in open court for comparison by the Forensil Laboratory.



2 .The petitioner herein filed a suit, challenging the sale deed dated 04.06.1998, allegedly executed by him in favour of the defendant and other consequential reliefs. It is the case of the petitioner that, his signature found in the questioned in sale deed dated 04.06.1998 is a forged one and he never executed the sale deed in favour of the respondent/defendant.

3 . Earlier, the petitioner filed an application for appointment of Advocate Commissioner to take the impugned document for comparison with the admitted documents by the Forensic Laboratory. The Advocate Commissioner produced admitted as well as questioned signatures before the Forensic Laboratory and a report was submitted by the expert to the Presiding Officer stating that the signature found in the admitted documents are in Tamil and the signatures found in the impugned document is in strokes. Therefore, it cannot be compared.

4 .Now, the petitioner filed the instant application seeking direction to the Advocate Commissioner to take the impugned signatures found in the sale deed dated 04.06.1998 along with admitted signatures of the petitioner taken in the open court and submit the same before the Forensic Laboratory.

5. It is settled law that in order to compare the signatures, admitted contemporaneous documents shall be produced. In the case on hand, the



petitioner claims comparison of his signature obtained in open court with his questioned signature available in the sale deed dated 04.06.1998, which cannot be considered, in view of settled law that comparison shall be done only with the contemporaneous document. I do not find any merit in the prayer made by the petitioner in the instant application and hence, the impugned order does not warrant any interference by this court.

6 . Accordingly, this civil revision petition is dismissed, confirming the order passed by the learned Trial Judge. There shall be no order as to costs. Connected miscellaneous petition is closed.

06.11. 2025

Internet: yes

Index: Yes/No

Neutral citation: Yes/No

MST

To

The Principal Sub Judge, Puducherry.



WEB COPY

CRP No.5412 of 2025



S.SOUNTHAR J.

MST

CRP No.5412 of 2025

06.11.2025