



CRP(MD), No.2330 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 22/08/2025

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

CRP (MD). No.2330 of 2025 and CMP(MD) No.13979 of 2025

Ravi

... Petitioner

Vs

Ganapathi Pillai (Died)

1. Periyannayaki,

2. Mohanambal

3. Santhi

4. Jeyaprakash,

5. Jeyapratha

6. Ashokan

... Respondents

PRAYER :-Civil Revision Petition filed under Article 227 of The Constitution of India to set aside the fair and decreetal order dated 17.02.2025 in IA No.477 of 2024 in OS No.68 of 2014, on the file of Principal District Munsif Court, Kumbakonam.



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For Petitioner : Mr.S.Gurumoorthy

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ORDER

The Civil Revision Petition is filed against the fair and decreetal order dated 17.02.2025 in IA No.477 of 2024 in OS No.68 of 2014, on the file of Principal District Munsif Court, Kumbakonam.

2. Since no adverse orders are going to be passed against the respondents, notice to the respondents is dispensed with.

3.The petitioner is the defendant in OS No.68/2014. The said suit was filed by the 1st respondent/plaintiff for partition and the same was contested by the petitioner on the ground that a Will was executed by his mother Jegathambal. However, the thumb impression of the petitioner's mother was disputed by the 1st respondent/plaintiff. Therefore, the first respondent/plaintiff filed IA No.477/2024 for comparison of the thumb impression with the admitted document of 'X' and the said petition was allowed. Challenging the same, the petitioner is before this Court with this petition.



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4. The learned counsel for the petitioner would submit that since the thumb impression in X1 and X2 were not obtained during contemporary period, the same cannot be taken to compare. He would further submit that those documents are only photocopies and it cannot be compared. However, the learned counsel would submit that this Court may issue a direction to the Advocate Commissioner to obtain the admitted thumb impression of Jegathambal from the petitioner or from the respondent in order to enable the Advocate Commissioner to compare the same.

5. I have considered the said submissions and perused the materials available on record.

6. Considering the facts and circumstances and considering the fact that if the petitioner has admitted thumb impression of Jegathambal, which is registered as a contemporary document, the petitioner is permitted to produce the same before the Advocate Commissioner in order to enable the Commissioner to send the same for expert opinion to



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compare the same with the admitted/disputed thumb impression in the
Will along with the undisputed document.

7. The Civil Revision Petition is disposed of with the above
direction. No costs. Consequently connected Miscellaneous Petition is
closed.

22.08.2025

NCC : Yes/No

Index : Yes/No

RR

TO

1.The Principal District Munsif Court, Kumbakonam.

2.VR Section

Madurai Bench of Madras High Court, Madurai.



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M.DHANDAPANI,J

RR

**ORDER
IN
CRP(MD) (NPD) No.2330 of 2025**

Date : 22/08/2025