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C.R.P.No.557 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 11.02.2026

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

C.R.P.No.557 of 2026

and

C.M.P.No.3001 of 2026

K.Ayyappan

.... Petitioner

Vs

S.Mariappan

.... Respondent

Prayer: Civil Revision Petition filed under Article 227 of Constitution of India, to set aside the fair and decreetal order dated 21.08.2025 made in I.A.No.03 of 2023 in O.S.No.753 of 2021 on the file of the III Additional Subordinate Judge, Coimbatore.

For Petitioner : Mr.R.Bharath Kumar

ORDER

This Civil Revision Petition is filed challenging the order passed by the Trial Court dismissing the application filed by the petitioner seeking comparison of the signature of the respondent found in the disputed Promissory Note/Ex.A1 and Ex.A2/Memorandum of deposit of title deeds.



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2. The petitioner herein filed a suit for recovery of money based on the promissory note executed by the respondent dated 15.05.2017. It is further stated that on the next day, the respondent also deposited the title deeds of immovable property and created an equitable mortgage under Ex.A2.

3. The respondent, in the written statement, denied the execution of promissory note and the deposit of title deeds. According to the respondent, he borrowed a sum of Rs.1,00,000/- from the petitioner to meet the medical expenses of his wife. At that point of time, the petitioner obtained the signature from the respondent in the blank non-judicial stamp paper, a blank promissory note and blank green sheets. It is further stated that the plaintiff filed the suit by filling up the blank signed promissory note, blank non-judicial stamp paper and green sheets.

4. Though the respondent has admitted his signature found in the suit promissory note/Ex.A1 and the Memorandum of deposit of title deeds/Ex.A2, he has denied the execution by pleading that he had signed blank promissory note and non-judicial stamp paper, which were subsequently filled up for the purpose of filing the suit.



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5. In view of the admission in the pleadings of the respondent with regard to his signatures, there is no necessity for comparison of the signatures found in Ex.A1 and Ex.A2. Therefore, I do not find any error in the order passed by the Trial Court.

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

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Index : Yes/No

Internet : Yes/No

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To

The III Additional Subordinate Judge,
Coimbatore.



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S.SOUNTHAR, J.

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