



C.R.P.No.521 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.02.2026

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

C.R.P.No.521 of 2026
and
C.M.P.No.2768 of 2026

C.R.Manoharan

... Petitioner

VS.

1.C.Ravi

C.Devi Saraswathi (dead)

2.Chenniappan

3.Suguna

4.Jayashankar

5.Natarajan

... Respondents

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, to allow the above Civil Revision Petition by setting aside the Fair and Decretal Order dated 01.11.2025 passed in I.A.No.06 of 2025 in O.S.No.691 of 2016 on the file of the Sub-Court, Avinashi.

For Petitioner : Mr.K.Govi Ganesan



WEB COPY



C.R.P.No.521 of 2026

ORDER

The Civil Revision Petition is filed challenging the order passed by the Sub-Court, Avinashi in I.A.No.6 of 2025 in O.S.No.691 of 2016, dated 01.11.2025 dismissing the application filed by the petitioner seeking comparison of the signature of the petitioner found in Sale Agreement dated 15.11.2007 marked as Ex.A3 with the admitted signature found in the Sale Deed dated 22.12.2005 marked as Ex.A2.

2. The petitioner herein filed a suit to set aside the decree for Specific Performance passed in O.S.No.283 of 2008 on the file of the Subordinate Court, Tiruppur and for declaration that the Sale Deed dated 02.07.2009 executed by Subordinate Judge, Tiruppur in favour of 2nd defendant was null and void. The petitioner also sought for preliminary decree for partition of suit property and for injunction restraining the respondents/defendants from encumbering the suit property.

3. It is the specific case of the petitioner that mother of the 1st respondent namely deceased C.Devi Saraswathi filed a suit in



C.R.P.No.521 of 2026

O.S.No.283 of 2008 seeking Specific Performance of Sale Agreement dated 15.11.2007 allegedly executed by the petitioner and 1st respondent in her favour. The summon in the said suit was not properly served on the petitioner. The summons were purposefully taken to wrong address. Therefore, the decree obtained by the said C.Devi Saraswathi is deserved to be declared as null and void.

4. In the present suit, the instant application has been filed by the petitioner seeking to compare his signature found in the Sale Agreement dated 15.11.2007 along with admitted signature. The suit has been filed challenging the decree passed in O.S.No.283 of 2008 on the ground the summon in the said suit was not properly served on the petitioner. To establish the said fact, the comparison of the signature found in Sale Agreement with the admitted signature is not at all necessary. The suit in O.S.No.283 of 2008 had already been decreed with the finding that the Sale Agreement was valid and pursuant to the decree, Sale Deed also executed by the learned Subordinate Judge, Tiruppur.

5. In these circumstances, no purpose will be served by comparing the signature found in the Sale Agreement with the admitted signature. The



C.R.P.No.521 of 2026

petitioner has to establish the plea of fraud raised by him in the present suit to challenge the decree. To establish the said fact, the comparison of the signature found in the Sale Agreement with the admitted signature is not at all necessary. Therefore, I do not find any irregularity or illegality in the order passed by the Sub-Court, Avinashi in I.A.No.6 of 2025 in O.S.No.691 of 2016, dated 01.11.2025.

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

06.02.2026

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



C.R.P.No.521 of 2026

To

The Sub-Court,
Avinashi.



WEB COPY



C.R.P.No.521 of 2026

S.SOUNTHAR, J.

dm

C.R.P.No.521 of 2026

06.02.2026