



C.R.P.No.633 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.633 of 2026

S.M.Lakshmanan

... Petitioner

vs.

T.Muthu Kumaran

... Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the fair and final order passed in I.A.No.06 of 2025 in O.S.No.2018 of 2023, dated 03.02.2026 on the file of the VI Assistant City Civil Court at Chennai, by allowing the present civil revision petition.

For Petitioner : Mr.MA.P.Thangavel

For Respondent : M/s.A.Sajidha Meera Rumana
for M/s.Kalaivani.T.



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ORDER

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The Civil Revision Petition is filed challenging the order passed by the VI Assistant City Civil Court, Chennai in I.A.No.06 of 2025 in O.S.No.2018 of 2023, dated 03.02.2026 dismissing the application filed by the petitioner under Order 26 Rule 10 A of the Code of Civil Procedure read with Section 39(1) of BSA, to send the Rental Agreement dated 21.12.2021 filed as Document No.1 along with plaint for Expert Opinion to prove the said document was manipulated one.

2. The respondent herein filed a suit for recovery of possession against the petitioner. Along with plaint, the respondent filed the above said document as Plaint Document No.1. The petitioner herein in his written statement questioned the said document and stated that the same was doctored one. The petitioner herein already filed an application in I.A.No.3 of 2025 to take cognizance against the respondent and to punish him for the offences under Sections 191, 192, 193, 197 and 200 of IPC and try the case as per the provisions of Section 340 read with Section 344 of Cr.R.C., for the alleged perjury committed by him. The said application was dismissed by the Trial Court by order dated 02.09.2025. Thereafter, the instant



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application has been filed by the petitioner seeking to send the document for Expert Opinion.

3. It is the case of the petitioner that the document alleged to have been executed on 21.12.2021 and the stamp papers found in the document were purchased only on 22.01.2022. Therefore, according to the petitioner, the document was created by the respondent for the purpose of filing the suit. The questioned document was filed by the respondent along with plaint as Document No.1. The suit is pending disposal.

4. It is also stated before this Court, when PW.1 was examined, the respondent failed to mark the questioned document as exhibit on his side. Therefore, it is clear the Plaint Document No.1 has not been pressed into service by the respondent. When the respondent failed to mark the said document, there is no necessity to send the document for Expert Opinion to find out whether it is a doctored document or not. The Expert Opinion will not help the Court to decide the controversy or issues involved in the suit. However, if it is the case of the petitioner the Plaint Document No.1 is a doctored document, it is open to him to cross examine the respondent side witnesses with regard to the same and decision regarding action to be taken



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in respect of the document shall be decided by the Trial Court at the time of final disposal of the suit.

5. With this clarification, the Civil Revision Petition stands dismissed.

No costs.

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(2/2)

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



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To

The VI Assistant City Civil Court,
Chennai.



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S.SOUNTHAR, J.

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