



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.06.2026

CORAM

THE HON'BLE MRS.JUSTICE R. KALAIMATHI

C.M.P.No.16262 of 2025

in

A.S.No.1027 of 2019

Athimoolam

..Petitioner

Vs

Govindaraj

..Respondent

For Petitioner : Mr.S.N.Subramani

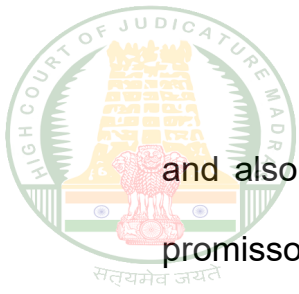
For Respondent : Mr.C.Shabeer Ahmed
for Mr.N.Selvaraja.

ORDER

This application has been taken out by the petitioner/plaintiff seeking permission of this Court to send Exs.A1 & A2, promissory notes to the handwriting expert for obtaining opinion.

2. Heard the learned counsel for the petitioner/plaintiff and the learned counsel for the respondent/defendant.

3. The learned for the petitioner would submit that the Trial Court observed that the plaintiff had not taken steps to obtain the opinion of a hand writing expert in respect of the promissory notes marked as Exs.A1 and A2



and also held that the plaintiff had failed to prove the execution of the said promissory notes and the passing of consideration.

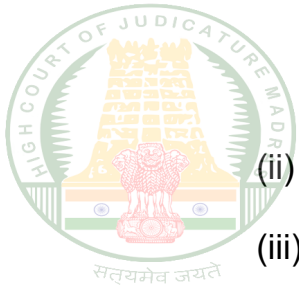
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4. The learned counsel for the respondent would contend that the Trial Court had rightly appreciated the evidence on record and consequently dismissed the suit and, therefore, the present Application is liable to be dismissed.

5. During the trial, the plaintiff examined himself as PW1 and one Ranganathan was examined as PW2. The Trial Court held that the plaintiff had failed to prove the execution of the promissory notes Exs.A1 and A2. The defendant had specifically denied the execution of the promissory notes and pleaded forgery. However, during the course of cross-examination, DW1 admitted the signatures of his mother and sister found in Ex.A1- Promissory Note.

6. In such circumstances, the plea of the petitioner is reasonable and acceptable and in order to have effective justice, this Court is of the view that the promissory notes executed under Exs.A1 and A2 have to be forwarded to the Forensic Science Department, Chennai, for obtaining the opinion of the handwriting expert. Petition is ordered accordingly.

(i) The Trial Court shall appoint Advocate Commissioner for the purpose of handing over the relevant documents to the Forensic Department, Chennai.



(ii) To obtain the Expert's Opinion at the earliest.

(iii) On receipt of Expert Opinion, the petitioner/plaintiff may examine the

Handwriting Expert on filing requisite application.

7. This exercise shall be completed within a period of three months.

Post the matter immediately on receipt of the Expert opinion from the Trial Court.

09.06.2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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R.KALAIMATHI, J.

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