



WEB COPY

CRP No. 1083 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-03-2026

CORAM

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 1083 of 2026 & CMP No.5698 of 2026

Jayakumar
S/o Munusamy, 103,
Sanjay Gandhi Nagar,
Old Paiyappanhalli,
MS Nagar, Bangalore - 33,
Bangalore.

..Petitioner(s)

Vs

1. Murugan
S/o Munusamy,
103, Sanjay Gandhi Nagar,
Old Paiyappanhalli, MS Nagar, Bangalore - 33,
Bangalore.
2. Pudhuraal
W/o.Munusamy
103, Sanjay Gandhi Nagar,
Old Paiyappanhalli, MS Nagar, Bangalore - 33,
Bangalore.
3. Chinnapappa
W/o.Munusamy
103, Sanjay Gandhi Nagar,
Old Paiyappanhalli, MS Nagar, Bangalore - 33,
Bangalore.
4. Arulkumar
S/o.Munusamy
103, Sanjay Gandhi Nagar,
Old Paiyappanhalli, MS Nagar, Bangalore - 33,
Bangalore.



5. Boopathy
s/o.Poonga
Anwaraabadpettai Village
Munnoormangalam Post
Chengam Taluk
Tiruvannamalai District

..Respondent(s)

Prayer : Civil Revision Petition filed under Article 227 of Constitution of India to set aside the fair and decretal order dt. 08.09.2025 made in IA No.1 of 2023 in OS No.124/2020 on the file of the Sub Court, Chengam, Tiruvannamalai District by allowing the CRP.

For Petitioner(s): Mr.Ka.Prabakaran

ORDER

Challenging the impugned Order passed by the trial Court in partly allowing the application filed by the plaintiffs for appointment of an Advocate Commissioner to send the sale deed wherein the disputed signature of their father was found along with the admitted signatures of their father found in the Earned Leave Register extract for comparison and to report before the Court.

2. The plaintiffs have filed the suit for declaration that the plaintiffs have exclusive right over the suit properties, to direct the defendants to hand over the possession of the suit properties to the plaintiffs and to declare that the sale deed dated 07.02.1980 as null and void. The plaintiffs have filed an application to



send the sale deed dated 07.02.1980 and the earned leave register extract of the company where the plaintiff's father was employed for comparison of the signature and left hand thumb impression of their father. The trial Court, considering the submissions on either side had appointed an Advocate Commissioner to send the sale deed dated 07.02.1980 to compare the signature of the plaintiffs' father with that of his admitted signature found in Settlement deed dated 22.03.1972, which has been marked as Ex.B.2 in the suit and to obtain report from the forensic laboratory.

3. The learned counsel appearing for the petitioner would submit that the signature and thumb impression found in the earned leave register has been filed by the plaintiffs to prove the admitted signature of the plaintiff's father and hence, prayed that the same has to be sent by the Advocate Commissioner for comparison of the signature of their father found in the sale deed dated 07.02.1980.

4. Admittedly, father of the plaintiff was employed in Kodai RCA, Bangalore. According to the revision petitioner, his father affixed his left hand thumb impression in the company's earned leave register extract, but the same has not considered by the trial Court, where the admitted signature of the plaintiffs' father have been filed by the plaintiffs and the same has to be sent for



forensic examination, otherwise it would cause irreparable loss and hardship to the petitioner.

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5. Accordingly, this Civil Revision Petition is disposed of and the Advocate Commissioner is directed to take the earned leave register extract of the plaintiff's father Munusamy for the period from 1991 - 1994 from the January to December wherein his left hand thumb impression is said to be found along with sale deed dated 07.02.1980 and the settlement deed dated 22.03.1972 for forensic examination for obtaining report. No costs. Consequently, connected miscellaneous petition is closed.

05-03-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

vrc

To

The Subordinate Judge,
Chengam.



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T.V.THAMILSELVI, J.

VTC

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