



CRP(MD). No.3609 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 02.02.2026

CORAM

THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

CRP(MD). No.3609 of 2025

and

CMP(MD) No.19165 of 2025

Pioneer Gellies India Private Limited
Having office at
D.No.23, Vallabhai Road
Chokkikulam
Madurai
Madurai District
Madurai 625 002.
Through its Authorized Representative
Gunasekaran

... Petitioner

Vs

1.Narayanan

2.Thangasamy

3.Ranjith

... Respondents

PRAYER :-Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order dated 25-09-2025, passed in I.A.No.8 of 2025 in O.S.No.120 of 2017, on the file of the Subordinate Judge, Valliyoor.



WEB COPY



CRP(MD). No.3609 of 2025

For Petitioner : Mr.S.Kadarkarai
For R1 & R2 : Mr.Muthukumar
legal-aid-counsel
For R3 : Mr.P.T.Ramesh Raja

ORDER

This Civil Revision Petition has been filed challenging the order made in I.A.No.8 of 2025 in O.S.No.120 of 2017 dated 25.09.2025 on the file of the learned Subordinate Judge, Valliyoor.

2.The petitioner/plaintiff has filed a suit in O.S.No.120 of 2017 before the Subordinate Court, Valliyoor, for the relief of declaration along with other reliefs. Pending suit, the petitioner filed an application in I.A.No.8 of 2025 under Order 26 Rule 10(2) r/w Section 45 of the Indian Evidence Act, seeking an expert opinion by appointing an Advocate Commissioner to compare the signature in the documents impugned. The same was dismissed on 25.09.2025. Challenging the same, the present Civil Revision Petition has been filed.



CRP(MD). No.3609 of 2025

3.The learned counsel for the petitioner reiterating all the contentions set out in the memorandum of grounds of Revision would submit that since the respondents have denied the execution of power of attorney, it is necessary to compare the signature with the admitted document. However, without considering the facts and circumstances of the case properly, the Court below had dismissed the application. Therefore, he would pray for appropriate orders.

4.*Per contra*, the learned legal aid counsel for the respondents 1 and 2 would submit that the signature of D1 in the power of attorney, which is of the year 1999, is sought to be compared with the settlement deed, which is of the year 2016, executed by D1 in favour of D2. He would further submit that only contemporaneous documents containing the admitted signature of the concerned person should be relied upon for comparison with the disputed document and any attempt to rely on signatures from distant time periods would be unreliable and contrary to the principles governing handwriting examination. Hence, he prays for dismissal of this petition.



CRP(MD). No.3609 of 2025

5. Heard the learned counsel on either side and perused the records.

WEB COPY

6. Admittedly, the petitioner filed O.S.No.120 of 2017 for the relief of declaration and pending suit, they have filed I.A.No.8 of 2025 to compare the signature in the documents impugned by appointing a Commissioner, which was dismissed on 25.09.2025.

7. It is to be noted that the petitioner wants to compare the signature of D1 put in the power of attorney, which is of the year 1999, with the settlement deed, which is of the year 2016, executed by D1 in favour of D2. Admittedly, for the purpose of comparing the signature found in the disputed document, the availability of contemporaneous documents containing the admitted signature of the concerned party is essential.

8. In the case on hand, the petitioner has not produced any reliable contemporaneous document containing the admitted signature of the party concerned for the purpose of comparison with the disputed signature. In the absence of such admitted signatures in documents of the relevant period, the Court is of the view that a meaningful comparison



CRP(MD). No.3609 of 2025

cannot be undertaken. It is well settled that for the purpose of comparison of signatures either by the Court or through an expert, the admitted signatures available in contemporaneous documents would be the most reliable material. Since no such document has been produced before the Court, the request made by the petitioner cannot be entertained.

9. In view thereof, this Court finds no infirmity or illegality in the order passed by the Court below in rejecting the request of the petitioner. Accordingly, the Civil Revision Petition stands dismissed with liberty to the petitioner to produce contemporaneous document for comparison. If the petitioner produces contemporaneous documents before the Court below to compare the signature as they sought for, the same may be entertained by the Court below, as there is no dispute with regard to the question of comparison. No costs. Consequently, connected Miscellaneous Petition is closed.

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No
mm

02.02.2026



CRP(MD). No.3609 of 2025

To

WEB COPY

The Subordinate Judge, Valliyoor.



WEB COPY



CRP(MD). No.3609 of 2025

N.SENTHILKUMAR, J.

mm

CRP(MD). No.3609 of 2025

02.02.2026