

In the Court of the Principal District Judge,  
Principal District Court, Kancheepuram.

PRESENT: **Tmt. Deepthi Arivunithi, M.L.,**  
Principal District Judge,  
Principal District Court ,  
Kancheepuram.

Thursday the 26<sup>th</sup> day of March 2026

IA.No.3/2025 in O.S. No.91/2024

M. Veeramani

...Petitioner/Plaintiff

Vs

S. Narayanan

.... Respondent/Defendant

This petition is coming on 20.02.2026 for final hearing before me in the presence of M/s. M.Madanagopal, S. Bharathi, Counsels appearing for the Petitioner/Plaintiff and M/s. G.Subramani, E. Punithavalli, Counsels for Respondent/Defendant and upon hearing the arguments on both sides and upon hearing arguments on both sides and upon perusal of records and having stood over the matter for consideration till this day, this court delivered the following

ORDER

Petition filed under s.39(1) of the Bharathiya Sakshiya Adhiniyam, 2023 (hereinafter referred to as 'BSA') to send the original promissory note to the handwriting expert for comparison of the signatures found in the promissory note with the admitted signatures found in vakalat, written statement, summons and

notices and his other documents and for such other orders as may be deemed fit and proper.

2. The learned counsel for the petitioner/defendant would contend as follows. The main suit is filed for recovery of a sum of Rs.11,96,444/-. The petitioner/defendant has never borrowed a sum of Rs.7,00,000/- for his wife's expenses as claimed. The signature in the promissory note is forged. The respondent/plaintiff is total stranger to the petitioner/defendant. Hence, it is necessary to prove that the signature in the promissory note is forged. Therefore, that the petition be allowed.

3. The learned counsel for the respondent/plaintiff has not filed any counter in this petition.

4. Upon hearing both sides and having perused the materials on record, this court finds as follows. The main suit is filed for recovery of money, While so, the case is now pending for cross examination of PW1. At that time, the present petition is filed. The present petition is filed to send the promissory note for handwriting comparison on the ground that the signature on the promissory note was forged. It is seen that the petitioner/defendant has raised the said defence in the written statement. A specific issue is also framed with regard to the genuineness of the promissory note. However, the respondent/plaintiff has not taken any effort to sending the document for handwriting comparison. Hence, an application was filed by the petitioner/defendant to send the documents for handwriting comparison.

5. It appears that the expert opinion may be necessary for the purpose of effective adjudication of the present suit. It is seen that the petitioner/defendant is ready to furnish comparative documents for the contemporaneous period. Therefore, this court finds that the present petition can be allowed without costs.

6. In result, this petition is allowed and the original promissory note dated 22.03.2021 is directed to be sent for handwriting comparison on the following conditions.

(1) Mr.P. Ranjithkumar, Enrol. No.664/2022 is appointed as Commissioner, in whose presence the disputed documents have to be examined by the handwriting expert deputed by the Deputy Director of the Regional Forensic Science Laboratory, Chennai. Rs.10,000/- is fixed towards the remuneration of the commission payable to him/her directly by the petitioner/defendant. The documents can be handed over to the commissioner for production before the expert for this investigation, subject to the following conditions.

(2) The petitioner/defendant is directed to produce any government/public documents executed in the contemporaneous period as that of the promissory note in question on or before the next hearing for the purpose of sending the document to the comparison.

(3) The disputed original documents, sought to be examined, shall be photocopied before the court officer before handing over the same to the Commissioner. These photocopies will be retained in the court along with the case papers.

(4) A list will be prepared for original disputed documents and the documents given for comparison to be delivered to the Commissioner and the same shall be signed by the Advocate Commissioner.

(5) The disputed original documents and the documents given for comparison with the sample signatures or handwritings will be enclosed in two separate envelopes and sealed in the presence of the Commissioner, who has to acknowledge the contents of the envelopes and also the receipt of the same. These two sealed covers and the letter of requisition of the Court with a sample seal, shall be enclosed in another cover, which will also be sealed in the presence of the Commissioner to whom the cover will be delivered by the Court Officers.

(6) The Commissioner shall deliver the envelopes to the Deputy Director, Regional Forensic Science Department, Chennai and be present in the place of investigation of these documents throughout to ensure that the examination of the documents, including the photocopying was done in his presence. After the examination of the documents is over, the office of the Deputy Director of the Regional Forensic Science Laboratory, Chennai, shall enclose the documents in a sealed cover with their covering letter and hand over to the commissioner, who has to return all the documents received by him to the Court Officers.

(7) The Deputy Director of the Regional Forensic Science Laboratory, Chennai shall send the report after the investigation, recording his opinion, in a sealed cover, direct

to the Court. The Deputy Director of the Regional Forensic Science Laboratory, Chennai is entitled to receive remuneration as prescribed.

For filing conemperaneous documents by the petitioner/defendant call on 29.04.2026.

//This order has been partly dictated by me to the Stenographer, transcribed and typed by her in the computer, and partly typed by me in my laptop corrected and pronounced by me in the open Court on this the Thursday the 26<sup>th</sup> day of March 2026//

Principal District Judge,  
Principal District Court,  
Kancheepuram.

Exhibits and Witnesses on both side: NIL.

Principal District Judge,  
Principal District Court,  
Kancheepuram.

Draft/Fair Order  
I.A.No.3/2025 in  
O.S.No. 91/2024  
D.D. 26.03.2026  
Principal District Court ,  
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