

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.

Wednesday the 22nd day of April 2026

IA.No.4/2025 in O.S. No. 168/2022

Tmt. Tamizhselvi @ Tamilchelvi ...Petitioner/Plaintiff  
Vs

1. Tmt. S. Deivayanai,  
Second W/o. Late K. Shanmuga Mudaliar  
2. S. Kumaravel  
3. S. Kandhaveal  
4. Tmt. A. Annapoorani  
5. Tmt. R. Sundari  
6. Tmt. S. Kowsalya  
7. S. Meganathan  
8. S. Jaganathan  
9. The Secretary, Big Kancheepuram Co-operative Town Bank Ltd.,  
Nellukara Street,  
Kancheepuram. .... Respondents/ Defendants.

This petition is coming on 15.04.2026 for final hearing before me in the presence of M/s. D. Vinothan, Counsel appearing for the Petitioner/Plaintiff and M/s. Vijayaragavan, S. Kothandapani, Counsels appearing for the 1 to 8 Respondents/Defendants and M. Baalakrishnan, R. Haribabu, P. Ezhilarasi, Counsels appearing for the 9<sup>th</sup> 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 Order XII Rule 8 C.P.C. to summon (i) the records of register of Sale deed document No. 1115/1997 dated 21.04.1997 from the SRO Joint IV Kanchipuram and (ii) the original document in document No. 3000/1974 dated 01.07.1974 from the Big Kanchipuram Co-operative Town Bank, Kanchipuram who is the 9<sup>th</sup> defendant in the suit for the purpose of sending it to the expert opinion for signature and thumb impression comparison in the disputed document in document No.3000/1974.

2. The learned counsel for the petitioner/plaintiff would contend as follows. The main suit is filed by the petitioner/plaintiff seeking a relief of declaration of title, consequential injunction and other reliefs. It is the case of the petitioner/plaintiff that a revocation of settlement deed in document No. 3000/1974 dated 01.07.1974 was fraudulently created and therefore I.A. No. 2 of 2022 was filed before this court to seek an expert opinion. The said petition was allowed and an advocate commissioner was appointed to take the documents for comparison. A reply dated 08.01.2025 was given stating that registered document, sale deeds, bank documents, cheque etc. May be given for the years preferably from 1970-1974 for comparison. A sale deed dated

21.04.1997 is available which was executed by the petitioner/plaintiff and therefore, the petitioner/plaintiff's signature and thumb impression is available in the said document. Further, it is claimed by the respondents/defendants that the original of the document No.3000 of 1974 is with the 9<sup>th</sup> defendant. Hence, the present petition is filed to issue notice to produce the said documents.

3. The learned counsel for the respondents/defendants would state that the petitioner/plaintiff can always produce a certified copy of the document and therefore, there is no need to call for the original document. Since the petitioner/plaintiff is not satisfied with the outcome of the analysis, the present petition is filed by them which cannot be maintained. The document now being called for by the petitioner/plaintiff is of the year 1997 and therefore not a contemporaneous document. Hence, that the present petition is not maintainable.

4. Upon hearing both sides and having perused the materials on record, this court finds as follows. The present petition is filed issue notice to the 9<sup>th</sup> defendant and the SRO Joint IV Kanchipuram to produce the documents as described in the petition. It is seen that the signature and the thumb impression found in the revocation deed in document No. 3000 of 1974 was disputed by the petitioner/plaintiff. On perusal of records, it is seen that only a certified copy of the said document is available in the records. There is no signature or thumb impression in the copy that is available before this court. Further, admittedly, the original document is with the 9<sup>th</sup>

defendant herein. An order was passed by this court directing the documents to be sent for handwriting and thumb impression comparison. The said order was not challenged by the respondents/defendants. Hence, in order to implement the order of this court, it is necessary to summon the original from the 9<sup>th</sup> defendant and to that extent, this petition has to be allowed.

5. Another document registered in the year 1997 is being summoned by the petitioner/plaintiff for the purpose of comparison. Even as per the present petition, the forensic department has specifically required that the documents executed between the year 1970 to 1974 be produced for the purpose of comparison. Further, the documents which can be produced is also listed out. The present document now being called for was admittedly registered in the year 1997 and is certainly not a contemporaneous document. Therefore, calling for the production of the said document will not serve any purpose. Hence, to that extent, this petition has to be dismissed.

6. In result, this petition is allowed in part without costs and a notice to produce be issued to the 9<sup>th</sup> defendant to produce the original document in document No. 3000/1974 dated 01.07.1974. The petitioner/plaintiff shall produce contemporaneous documents for the period from 1970-1974 for the purpose of sending the documents for comparison.

//This order has been directly dictated by me to the Stenographer, taken down, and typed by her in the computer, corrected and pronounced by me in the open Court on this the Wednesday the 22<sup>nd</sup> day of April 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. 4/2025 in  
O.S.No. 168/2022  
D.D. 22.04.2026  
Principal District Court ,  
Kancheepuram.



