



WEB COPY

OSA No. 5 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-02-2026

CORAM

**THE HON'BLE MR JUSTICE C.V. KARTHIKEYAN
AND
THE HON'BLE MR.JUSTICE K.KUMARESH BABU**

**O.S.A No. 5 of 2026
and
C.M.P.No.955 of 2026**

M.S.Krishna Prasad

..Appellant

Vs

1. R.Rajalakshmi

2. M.Ravindran

..Respondents

Original Side Appeal filed under Order XXXVI Rule 1 of OS Rules r/w Clause 15 of the Letters Patent seeking to set aside the Judgment and decree made in A.No.1876 of 2025 in C.S.No.239 of 2022 dated 18.12.2025 and allow the same.

For Appellant: Mr.P.Sidharthan

For Respondents: Mr.K.P.Ashok

JUDGMENT

(Judgment of the Court was delivered by C.V.Karthikeyan J.)

Defendant in C.S.No.235 of 2022 has filed the present Appeal aggrieved by the order dated 18.12.2025. in Application No.1876 of 2025 filed by him.

2. The said Application had been filed seeking to forward the Compact



Disc which contains both audio and video for forensic examination to determine as to whether the voice therein is the voice of the respondent/plaintiff in the suit.

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3. In view of the fact that the Trial is at a nascent stage, it may not be appropriate to examine the facts on their merits. Suffice to point out that PW1/respondent is in the witness box. He could be termed as the landlord. The appellant could be termed as the lessee. The dispute is with respect to the terms of the lease. During his cross-examination, PW1 was confronted with a Compact Disc and he admitted to the same. Thereafter, the said Compact Disc was also marked as Ex.D4. Further, questions were put to the witness regarding each and every detail in the conversation. The witness had also answered those questions. Aggrieved by the nature of answers given, the present application has been filed by the defendant seeking to forward the Compact Disc for forensic examination to identify the voice therein.

4. Notice had been directed. Counsel for the respondent also entered appearance. The learned counsel also stated that he had not raised any objection about the Compact Disc. The minute details regarding the conversation recorded in the Compact Disc can be examined only by the learned Single Judge during the course of appreciating the evidence. He can take any decision on the relevancy and the extent to which they can be relied and then take a decision on the issues framed in the suit. Since there is no dispute about the voice in the Compact Disc, it may not be required to be sent for forensic examination. The learned counsel for the appellant while arguing the suit, may



argue and putforth his interpretation of the conversations and the learned counsel for the respondent may also putforth his interpretation. It is for the learned Single Judge to take an appropriate decision regarding the conversation in the Compact Disc on their relevancy to the issues framed in the suit. There is no need to send the Compact Disc for forensic examination. It has also been marked as Ex.D4.

5. The Appeal stands disposed with the above observation. No costs. The connected Miscellaneous Petition is closed.

(C.V.K.,J.) (K.B.,J.)
19-02-2026

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

To

1. R.Rajalakshmi
W/o.M.Ravindran,
at No.6, Dr.Singaravelu Street,
Pondy Bazzar, T.Nagar,
Chennai-600 017
2. M.Ravindran
S/o.Late K.Mohana Krishnan,
at No.6, Dr.Singaravelu Street,
Pondy Bazzar, T.Nagar,
Chennai-600 017



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AND
K.KUMARESH BABU, J.**

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