

IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON
05.06.2026PRONOUNCED ON
11.08.2026

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THE HON'BLE MR.JUSTICE K.KUMARESH BABU

A Nos. 1286 to 1289 of 2025
in C.S.No.491 of 2014

M/s.Color Chemicals and Dyes LLP ,
A Registered Partnership Firm
Represented by its Partner
M Ponnuswami
No.32, H-Block, 15th Main Road,
Anna Nagar, Chennai - 600 040.

..Applicant(s) in all
Applications

Vs

1. M/s.Match Point,
A Partnership Firm,
Represented by its Partners,
Defendants 2 to 10 herein
21, Bridge Way Colony Extension,
4th Street, Tiruppur – 641 607.
2. M Kandasamy
K Malarvizhi (Died)
3. T N Sathyamurthy
4. K Savitha
5. P Ravichandran
S Periyasamy Gounder (died)
6. P Ramathal
7. R Rani



8. R Geethanjali Rithika

9. A K Swathika

..Respondent(s) in all
Applications

PRAYER in Appl.No.1286 of 2025:- Application filed to direct Central Forensic Science Department Chennai to compare Doc.Nos.P-11 and 12 for comparison with any other contemporary document to be produced by 6th Defendant or Settlement Deeds dated 20.04.2011 bearing Doc.Nos.1837, 1838 and 1839/2011 in the office of the Sub Registrar, Tiruppur Joint 2, executed by the 6th Defendant in favour of 11th Defendant, 3rd Defendant and 10th Defendant respectively and obtain its opinion as to the veracity of the signature found in Doc.Nos.P-11 and 12.

PRAYER in Appl.Nos.1287 & 1289 of 2025:- Application filed to grant leave to the applicant to produce the above documents and be received in evidence on behalf of the applicant/ plaintiff and to pass further order or other orders as this Court may deem fit and proper.

PRAYER in Appl.No.1288 of 2025:- Application filed to direct the Central Forensic Science Department, Chennai to compare Doc.Nos.P142 and P-143 for comparison with any other contemporary document to be produced by 6th defendant or Settlement Deeds dated 20.04.2011 bearing Doc.Nos.1837, 1838 & 1839 of 2011 in the Office of the Sub Registrar, Tiruppur Joint 2, executed by the 6th defendant in favour of 10th defendant, 3rd defendant and 9th defendant respectively and obtaining its opinion as to the veracity of the signature found in Doc.Nos.P-142 and P-143 and to pass further order or other orders as this Court may deem fit and proper.



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In all the Applications:

For Applicant(s):

Mr.V.P.Sengottuvel
Senior Counsel
for Mr.K.R.Nishanth

For Respondent(s):

Mr.T.R.Sundaram
for RR1, 5 and 7
Mr.S.Vinod for R6
No appearance
for RR2, 3, 4, 8 and 9

COMMON ORDER

Applications in A.Nos.1288 and 1286 of 2025 have been filed seeking direction to the Central Forensic Science Department Chennai to compare documents Doc.Nos.P-11 & 12 and Doc.Nos.P-142 & P-143 respectively with any other contemporary document to be produced by 6th defendant or Settlement Deeds dated 20.04.2011 bearing Doc.Nos.1837, 1838 & 1839 of 2011 in the Office of the Sub Registrar, Tiruppur Joint 2, executed by the 6th defendant infavor of parities as stated in the prayers therein and to obtain its opinion as to the veracity of the signature found respective documents.

2. Applications in A.Nos.1287 & 1289 of 2025 have been filed seeking grant leave to the applicant to produce the documents as stated in the respective prayers and the same to be received in evidence on behalf of the applicant/ plaintiff.

3. Heard Mr.V.P.Sengottuvel, learned Senior Counsel for

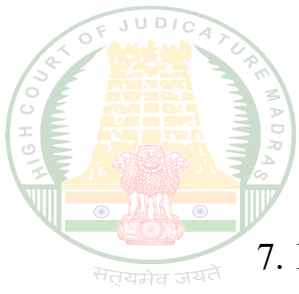


Mr.K.R.Nishanth learned counsel for the applicant, Mr.T.R.Sundaram learned counsel for the respondents 1, 5 and 7 and Mr.S.Vinod learned counsel for the 6th respondent in all the applications.

4. Mr.V.P.Sengottuvel, learned senior counsel for the applicant submits that the applicant who is the plaintiff had instituted a suit for recovery of money from the defendant for a sum of Rs. 1,62,88,063/- as against the respondents who are common in both suits respectively.

5. In the said suit the present applications have been taken out for the reliefs of the receipt of additional documents as also for certain documents to be sent to a forensic expert with regard to the signatures found in the said documents which are the plaint documents.

6. It is the case of the applicant that certain of the documents which are relevant to the suit which were filed in support of OA.Nos.5537 & 5538 of 2014 respectively wherein an order of attachment came to be passed are relevant to the suit and maybe received as additional documents in the instant suits respectively. He would further submit that the plaint documents which had been executed by the 6th defendant on behalf of the first defendant in one suit and defendants 10, 3 & 9 in an another suit have to be sent for a handwriting expert for obtaining its opinion on veracity of the signature found in the said documents.



7. He would submit that if the same is not sent for verification, it would have a serious impact on the case of the applicant who is the plaintiff in both the suits and therefore prays this Court's indulgence in ordering the applications as prayed for.

8. Countering his arguments, learned counsel appearing on behalf of the respondents in unison would submit that the suits had been filed by the applicant only to harass the respondents. He would submit that the suit was originally dismissed for default on 04.06.2024 and on an application filed the suit came to be restored back by orders of this Court on 04.11.2024. Even though, the issues were framed as early as on 08.04.2024 the applicant/ plaintiff had not let in any evidence whatsoever for which reason the suit had been dismissed for default and the attempt by the petitioner is only to protract the proceedings by filing unnecessary applications which would not have any bearing in the suit. They would further submit that no reasons have been attributed whatsoever as to how the suit documents are relevant to this suit. Hence, they pray this Court to dismiss the applications and put the applicant in terms to cooperate with the disposal of the suit which has been pending before this court for almost a decade.

9. I have considered the submissions made by the respective learned



Senior Counsel and learned counsels appearing on either side and perused the materials available on record.

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10. Two sets of applications had been taken in the respective suits. Applications to send certain of the documents to forensic evaluation to ascertain the veracity of the documents had been made. A perusal of the affidavit filed in support of the applications, no reasons whatsoever as to why the said documents have to be sent for forensic examination had not been clearly made out. That apart a document admittedly executed by the sixth defendant is the subject matter of the said applications. If a dispute is to be raised on the said documents, it is for the sixth defendant to raise a doubt with regard to the execution by asserting that the said document has not been executed and is a fraudulent and forged document to seek for the said relief. The applicant, who is the plaintiff in the suit in the consideration of the Court do not have a right to seek to send the same for the forensic evaluation.

11. As regards to the application for receipt of documents, it is the claim of the applicant that the documents relate to the properties that had been attached by this Court pursuant to the orders made in O.A.Nos.5537 & 5538 of 2014. The said applications had been taken out by the applicant/ plaintiff for furnishing of security failing which to attach the properties. The aforesaid applications were disposed of by this court on 16.06.2015 directing the



defendants to furnish security for the suit claim.

12. By a further order dated 22.03.2019, noting that neither the security was furnished as directed by this Court and also no details of the Intra-Court Appeals were furnished by the respondents, an order of attachment of the Judges summons mentioned properties were made. It is the claim of the applicant that the present documents relates to the properties which were attached and in that regard there has been no denial by the respondents specifically in the counter. Since, the properties of which the documents are sought to be permitted to be received as additional documents relates to such property, this Court do not finds any impediment in allowing the said applications but, however, considering the fact that the Judges summons documents have been described as xerox copies and certified copies, the same is allowed subject to proof and relevancy.

13. Accordingly, A.Nos.1286 & 1288 of 2025 are dismissed and A.Nos.1287 & 1289 of 2025 are allowed. However, there shall be no order as to costs.

11-08-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
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K.KUMARESH BABU, J.

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