



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-01-2026

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CORAM

THE HON'BLE DR.JUSTICE R.N.MANJULA

**CRP No. 5320 of 2025
and C.M.P. No.26781 of 2025**

1. Amaravathi
W/O. Ravi,
No. 3/44A, Kadakkam North Street,
45, Agara Aadhanoor, Kiliyanoor Post,
Tharangambadi Taluk, Mayiladuthurai District.
2. Jeevitha
D/O. Ravi,
No. 3/44A, Kadakkam North Street,
45, Agara Aadhanoor, Kiliyanoor Post,
Tharangambadi Taluk, Mayiladuthurai District.
3. Ajithkumar
S/O. Ravi,
No. 3/44A, Kadakkam North Street,
45, Agara Aadhanoor, Kiliyanoor Post,
Tharangambadi Taluk, Mayiladuthurai District.
4. Babu
S/O. Ravi, No. 3/44A, Kadakkam North Street,
45, Agara Aadhanoor, Kiliyanoor Post,
Tharangambadi Taluk, Mayiladuthurai District.
5. Rajam
W/o. Subramanian,
M/o. Ravi,
No. 3/44A, Kadakkam North Street,
45, Agara Aadhanoor, Kiliyanoor Post,
Tharangambadi Taluk, Mayiladuthurai District.

..Petitioner(s)

Vs



Reldon Jayagar
S/O. Devasirvatham,
MRM Apartment, No.16, GO3,
Vathukaratheru, Koorainadu,
Mayiladuthurai Taluk and District.

..Respondent(s)

PRAYER – This Civil Revision Petition is filed under Article 227 of the Constitution of India to set aside the fair and final order dated 05.04.2025, made in I.A.No.6 of 2025 in O.S. No.100 of 2022, passed by the District Court, Mayiladuthurai.

For Petitioner(s): Mr.B.Jawahar

For Respondent(s): M/s.K.M.Vijayan Associates
For Sole Respondent

ORDER

The Civil Revision Petition has been filed challenging the orders of the learned District Judge, Mayiladuthurai dated 05.04.2025 made in I.A.No.6 of 2025 in O.S. No.100 of 2022.

2.The revision petitioners are the defendants in the suit. The respondent/plaintiff has filed the suit for specific performance. While the suit was pending, he has filed an Interlocutory Application in I.A.No.6 of 2025 to send the petition mentioned documents to the Handwriting Expert to compare the disputed signatures in the sale agreement dated 07.03.2022 with the admitted signatures. The said petition has been allowed. Aggrieved over that, the defendants/petitioners have filed this Civil Revision Petition.

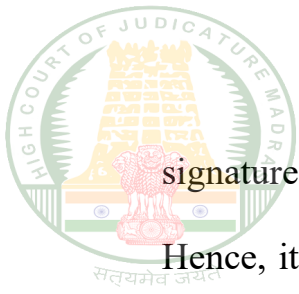


3.Learned counsel for the revision petitioners submitted that the suit is in the trial stage and the plaintiff's evidence as P.W.1 has already been over. The plaintiff has brought this application just to neutralise the attempts given by the defendants during his cross-examination.

4.Mr.K.M.Vijayan Associates, learned counsel took notice for the respondent and submitted that the respondent/plaintiff has got an obligation to prove the signature of the defendants to protect their interest in the suit.

5.Heard the learned counsel for the petitioners as well as the respondent and perused the entire materials available on record.

6.It is correct to state that the plaintiff could have taken steps to get an order from the Court for comparing the disputed signature of the defendant with the admitted signatures by a Scientific experts. The application has been filed after the examination of P.W.1 and P.W.2. On perusal of the orders of the learned District Judge, Mayiladuthurai, it is seen that the Court has got convinced to allow the application only because the 1st defendant has raised a contention that Ex.A2 is a forged document. As the plaintiff has got the burden to prove his claim, especially when the defendants have taken the plea that the



signatures of the defendants in the sale agreement are not their signatures.

Hence, it is fair on the part of the Trial Court to allow the plaintiff to compare the admitted signature of the 1st defendant with his contested signature. Though there is a delay involved in filing the application, getting a report from the handwriting expert will not prejudice the interest of the defendants. In fact, the report can also help as a material piece of evidence to decide the issue, though it can not serve as a conclusive proof. Hence, I am not convinced to admit the Civil Revision Petition and hence, the same is rejected.

7.As the evidence of handwriting experts is not a conclusive one, the Court is obligated to appreciate the evidence in entirety. Hence, no prejudice is going to be caused to the revision petitioners.

8.In the result, this Civil Revision Petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

21-01-2026

Index: Yes/No
GSA

To

The District Judge,
Mayiladuthurai.



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DR.R.N.MANJULA, J.

GSA

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