



C.R.P.(MD) No.3725 of 2025

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N.SENTHILKUMAR, J.

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The Civil Revision Petition has been filed challenging the order made in I.A.No.12 of 2025 in O.S.No.65 of 2013, dated 24.10.2025 on the file of the I Additional District Court, Trichirappalli.

2.The main contentions of the learned counsel for the petitioner around the deposition of P.W1. In the cross-examination of P.W1, it had been stated as under:-

□..... அது குறித்து எனக்கு தெரியாது. என்னிடம் காட்டப்படும் கையெழுத்து என்னுடைய கையெழுத்து மாதிரிதான் இருக்கிறது. அதில் உள்ள கையெழுத்து என்னுடைய கையெழுத்து இல்லை. என் அம்மா கையெழுத்து, சகோதரிகள் கையெழுத்து அதில் இருக்கிறதா என்றால் அவர்கள் கையெழுத்து பற்றி எனக்கு தெரியாது.□

3.The trial Court had passed the following order:-

“10.The main dispute is between the plaintiff and defendants 1 to 5. The present petitioners are alleged purchasers who purchased the property from the 2nd defendant. The plaintiff filed the suit for partition on 15.04.2013. Both sides have completed their evidence, and during that stage, the petitioners/third parties were impleaded as parties to the suit. After impleadment, the petitioners cross-examined the plaintiff. When the case was posted for the evidence of defendants 9 and 12 to 15, the petitioners filed the present petition seeking



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comparison of the plaintiff's signature in Ex.BI Will.

11.It is settled law that the execution of a Will has to be proved in the manner known to law. The petitioners/defendants seek to compare the signature and thump impression of the plaintiff found in Ex.B1 Will. The second defendant has already examined one of the attesting witnesses to Ex.B1 Will, namely Neelamegam, as D.W.2. There is no necessity to compare the signature and the thump impression of the plaintiff found in Ex.BI because she is neither an attesting witness nor a person who identified the testator.”

4.The learned counsel for the petitioner would submit that when the second defendant herself has no clarity with regard to the affixation of signature in the Will, then, according to the petitioner, comparison of signature is necessary.

5.Issue notice to the respondents returnable by 08.01.2026. Private notice is also permitted.

6.Post the matter on 08.01.2026.

10.12.2025

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10.12.2025