

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

CIVIL REVISION PETITION NO.189 OF 2015

ORDER:

This revision is preferred against the order passed by the II Additional Junior Civil Judge, Chittoor in I.A.No.489 of 2014 in O.S.No.1118 of 2002 dated 11.11.2014.

The application in I.A.No.489 of 2014 was filed by the petitioner herein, who is the plaintiff in O.S.No.1118 of 2002, to reopen the suit for the purpose of marking documents. The Court below held that the petitioner failed to show any cogent reason for not filing the documents earlier, except making a vague statement that the documents were traced out recently; the suit was of the year 2002, and both parties had availed sufficient time to adduce evidence; and, in such circumstances, the petitioner was not entitled to the relief sought for. Aggrieved thereby, the petitioner has invoked the jurisdiction of this Court.

Even in the affidavit filed in support of the I.A., except to state that the documents were misplaced and traced recently, no details are forthcoming as to when the documents were traced and in what manner.

The suit is of the year 2002, and has been pending on the file of the Court below for around 13 years. The Court below did not believe the vague statement in the affidavit filed in support of the I.A. The order of the Court below does not suffer from any patent illegality warranting interference. I see no reason, therefore, to exercise discretion under Article 227 of the Constitution of India to interfere with the order of the Court below.

The Civil Revision Petition fails and is, accordingly, dismissed. There shall be no order as to costs. Miscellaneous petitions, if any, pending shall stand dismissed.

(RAMESH RANGANATHAN, J)

13th March 2015

RRB