

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

CIVIL REVISION PETITION No.3301 of 2015

ORDER:

This revision, under Article 227 of the Constitution of India, is preferred against the order passed by the Court below in O.S. No.10 of 2005 dated 19.06.2015. The petitioner herein is the plaintiff in O.S. No.10 of 2005.

When the unregistered agreement dated 13.09.1999 was sought to be marked, the petitioner objected to its marking on the ground that it was both unstamped and unregistered. The said document is said to have been impounded, and stamp duty collected. Thereafter, when the stamped document was sought to be marked, the petitioner objected to its being marked on the ground that it was not a registered document.

By the order under revision, the Court below held that an unregistered document could also be marked for the collateral purpose of proving possession. As the order passed by the Court below is in accordance with the settled legal position that the contents of an unregistered document can be examined for the collateral purposes, including proving possession of the property, I see no error in the order passed by the Court below necessitating exercise of jurisdiction under Article 227 of the Constitution of India. The Civil Revision Petition fails and is, accordingly, dismissed. The miscellaneous petitions pending, if any, shall also stand dismissed. No costs.

(RAMESH RANGANATHAN, J)

Date: 11.09.2015

MRKR