

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

Civil Revision Petition No.481 of 2015

Dated 20th February, 2015

Between:

Smt.B.Pentamma

...Petitioner

And

B.Pentaiah and another

...Respondents

Counsel for the petitioner: Sri Jayanti S.C.Sekhar

Counsel for the respondent: ---

The Court made the following:

ORDER:

This civil revision petition arises out of the docket order, dated 19.11.2014, in O.S.No.4 of 2010, on the file of the learned Principal Junior Civil Judge, Medchal, Ranga Reddy District.

The petitioner filed the above-mentioned suit for perpetual injunction restraining the respondents from interfering with her peaceful possession over the suit schedule property. Pending the suit, the petitioner sought to rely upon an unregistered and unstamped document. The said document was initially impounded. Later, when the petitioner sought to mark the said document, the lower Court has passed the above-mentioned order rejecting the said request on the ground that the document proposed to be marked is an unregistered sale deed in respect of 93 sq.yards of land for a sale consideration of Rs.12,000/- and that therefore, the said document is compulsorily registerable under Section 49 of the Registration Act, 1908.

At the hearing, Sri Jayanti S.C.Sekhar, learned counsel for the

petitioner, has not disputed about the nature of the document being an unregistered sale deed. He has however submitted that his client is entitled to get the said document marked for collateral purpose, namely, for proving possession of the schedule property. The lower Court has observed that the said document is not useful even for the said collateral purpose.

The learned counsel for the petitioner has placed before the Court a copy of the document in question on a perusal of which, I concur with the opinion of the lower Court that the same is not useful even for collateral purpose as it does not contain any recital regarding delivery of possession.

In this view of the matter, I do find any jurisdictional error in the order passed by the lower Court warranting interference of this Court. Hence, this civil revision petition is dismissed.

As a sequel to dismissal of the civil revision petition, C.R.P.M.P.No.609 of 2015 shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

20th February, 2015
VGB