

HONOURABLE SRI JUSTICE S.RAVI KUMAR

CIVIL REVISION PETITION No.1658 OF 2015

Dated 1-10-2015

Between:

Elagari Mallavva and others.

..Petitioners.

And:

Burra Anitha.

..Respondent.

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HONOURABLE SRI JUSTICE S.RAVI KUMAR

CIVIL REVISION PETITION No.1658 OF 2015

ORDER:

This revision is preferred challenging order dated 18-2-2015 whereunder trial court refused to receive certain documents filed on behalf of defendants on the ground that they cannot be admitted in evidence for want of registration.

As seen from the material, those documents were impounded and penalty was also collected by the District Registrar, Medak at Sangareddy but only defect is that they are not registered documents.

Advocate for revision petitioners submitted that defendants have produced those documents only for collateral purpose, namely showing their possession and not relying on those documents for their title. He submitted that unregistered document can be received in evidence for collateral purpose like proving possession but the trial court in spite of such request, refused to receive those documents and that the order of the trial judge is contrary to provisions of Registration Act.

Learned advocate for respondent submitted that legal proposition that unregistered document can be received in evidence for the purpose of collateral purpose is not disputed but as they are claiming title, they can not rely on these documents to prove their title.

Considering submissions of both sides and considering material on record, I am of the view that these documents can be received for limited purpose of proving possession which is only collateral purpose and it is made clear that defendants cannot rely on these documents to prove their title and they should examine proper person for marking these documents.

With this observation, the impugned order dated 18-2-2015 of the trial court is set aside and revision is disposed of accordingly. No costs.

As a sequel to the disposal of this revision, the Miscellaneous Petitions, if any, pending, shall stand dismissed.

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JUSTICE S.RAVI KUMAR

Dated 1-10-2015.

Dvs.

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Dvs