

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CIVIL REVISION PETITION No. 2800 of 2015

ORDER:

The present Civil Revision Petition is filed under Article 227 of the Constitution of India, aggrieved by the order dated 11.11.2014, passed in I.A.No.1353 of 2014 in O.S.No.170 of 2012 on the file of the Principal District Judge, Karimnagar, wherein and whereunder an application filed by the petitioner No.2 seeking to send two simple sale deeds to the Joint Sub Registrar, Karimnagar Rural, for the purpose of impounding, was rejected.

The learned counsel for the petitioners relied upon the judgment of this Court in **Golla Dharmanna Vs. Sakari Poshetty and others**^[1] and contended that the trial Court rejected their plea without taking proper perspective of the said judgment, whereas, this Court, while dealing with similar cases, held that unregistered documents can be sent for impounding, for collateral purposes.

In the above said judgment, this Court held that “a document which is required to be registered is not admissible in evidence under Section 49 of the Registration Act. Merely because stamp duty and penalty have been paid under Section 35 (a) of the Stamp Act, it would not automatically make the said document admissible in evidence, if as per law, the document is also required to be registered compulsorily”.

Learned counsel for the respondents has raised an

objection stating that even after collection of stamp duty and penalty, the two simple sale deeds cannot be received in evidence because they are not registered documents. Keeping in view the judgment of this Court in Golla Dharmanna's case, the trial Court rightly dismissed the application and that the order under challenged needs no interference.

At this stage, learned counsel for the petitioners would submit that the application filed before the trial Court is silent on many aspects to prove the case of the petitioners, hence permission may be given to make fresh application.

Accordingly, the Civil Revision Petition is disposed of giving liberty to the petitioners to avail remedies available under law. There shall be no order as to costs.

As a sequel thereto, Miscellaneous Petitions pending if any in this Civil Revision Petition, shall stand closed.

C. PRAVEEN KUMAR, J

28.07.2015

vhb

[\[1\]](#) 2013(6) ALT 205