HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

CIVIL REVISION PETITION No. 251 OF 2016

DATED 29TH JANUARY, 2016

BETWEEN

Vatta Janaiah and anr

…Petitioner

And

Thanthenapally Lalitha

…..Respondent.

HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

CIVIL REVISION PETITION No. 251 OF 2016

ORDER:

The order dated 27.11.2015 passed in I.A.No.574 of 2015 in O.S.No.249 of 2010 by the learned Junior Civil Judge, at Suryapet is challenged by the defendants in the present Civil Revision Petition.

The aforesaid suit is instituted by the respondent/plaintiff seeking injunction. During the course of trial, the petitioners/defendants marked Ex.B.3 which is a sanctioned layout by the Gram Panchayat to prove that the land in issue is in the APSRTC Cooperative Housing Society. Ex.B.3 is a public document issued by the Gram panchayat. Merely on the ground that the same has been disputed by the respondent/plaintiff, the petitioners/defendants sought to summon the Panchayat Secretary to produce the original layout plan submitted by the

APSRTC Cooperative Housing Society. The learned Junior Civil Judge considered the scope of Section 74 of the Indian Evidence Act and the presumption attached to the document issued by the Public Officer. In that view of the matter, the learned Judge dismissed the IA and refused to summon the Panchayat Secretary. The order itself is self-evident and the learned Judge has taken sufficient care to protect the interest of the petitioners/defendants and rightly held that it is for the party who disputed the genuineness of the public document to establish invalidity of the same. In that view of the matter, I do not see any infirmity or illegality in the order under revision.

The Civil Revision Petition is dismissed at the admission stage. Miscellaneous petitions pending consideration if any in the Civil Revision petition shall stand closed in consequence. No costs.

JUSTICE CHALLA KODANDA RAM

DATED 29TH JANUARY, 2016.
Msnrx