

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

CRP No.3337 of 2011

Oral Order :

This Civil Revision Petition is filed under Article 227 of the Constitution of India by the plaintiff in O.S.No.905 of 2007 on the file of the Court of the Principal Junior Civil Judge, Chittoor assailing the order dated 16.7.2010 passed by the said Court.

The petitioner/plaintiff instituted the suit O.S.No.905 of 2007 seeking permanent injunction. During the course of evidence, the petitioner wanted to mark an unregistered lease Karar dated 10.11.2005. The learned Principal Junior Civil Judge, Chittoor declined to accept the said request made by the petitioner/plaintiff by way of order dated 16.7.2010. The said order is under challenge in the present Civil Revision Petition.

It is submitted by the learned counsel for the petitioner/plaintiff that the order passed by the Court below is erroneous, contrary to law and opposed to the provisions of the Registration Act and the Stamp Act.

On the contrary, it is submitted by the learned counsel for the respondents that there is no illegality nor there exists any infirmity in the impugned order, as such the same is not amenable for judicial review under Article 227 of the Constitution of India.

A perusal of the impugned order clearly shows that

the learned Principal Junior Civil Judge, Chittoor by taking into consideration the law laid down by this Court in **SANKURATRI VEERA VENKATA NAGA MOHAN REGHAVADEV**^[1] **Vs. VEDULLA ANJANEYULU**, and also the provisions of the Registration Act, declined to grant permission to the mark the subject document. The learned Principal Junior Civil Judge also categorically took into account the failure on the part of the plaintiff to satisfy the conditions as to payment of requisite stamp and also registration, and rightly declined to permit the petitioner/plaintiff to mark the document, while upholding the objections taken by the defendants/respondents. It is well established principle of law that unless the impugned order suffers from inherent lack of jurisdiction and is perverse, jurisdiction of this Court under Article 227 of the Constitution of India cannot be invoked.

For the aforesaid reasons and having regard to the reasons recorded by the learned Principal Junior Civil Judge, Chittoor in the impugned order, this Court does not find any justification to meddle with the said order. Accordingly the Civil Revision Petition is dismissed as being devoid of merits. No costs. Miscellaneous petitions pending, if any, shall stand closed.

JUSTICE A.V.SESHA

SAI

Dt:11.4.2016

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