

**HON'BLE SRI JUSTICE R. KANTHA RAO**  
**Civil Revision Petition No.2884 of 2009**

**ORDER:**

This civil revision petition is filed under Article 227 of the Constitution of India, against the dismissal order dated 18.03.2009 passed by the VIII Additional Senior Civil Judge (FTC), City Civil Court, Hyderabad in IA No.604 of 2008 in OS No.1200 of 2007.

2. Though the matter is posted under the caption 'for orders', there is no representation for the respondents. Heard Sri P. Durga Prasad, learned counsel appearing for the petitioner.

3. A perusal of the material on record shows that after commencement of the trial, the petitioner sought to file certain documents, which are said to be the originals of the Xerox copies filed along with the plaint. The learned trial court taking hyper technical view that no reasons were assigned in the affidavit for not producing the documents along with the plaint, dismissed the petition filed under Order VII rule 14(3) of CPC. Since Xerox copies of the documents were filed along with the plaint, I see absolutely no grounds for dismissal of the petition.

4. Therefore, the order dated 18.03.2009 passed by the trial court in IA No.604 of 2008 in OS No.1200 of 2007 is set aside and the civil revision petition is allowed accordingly. No order as to costs. Miscellaneous petitions, pending if any in this petition, shall stand closed.

**R. KANTHA RAO, J**

Date: 17.03.2016  
BSS

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