

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Civil Revision Petition No.2015 of 2015

Date: 07-01-2016

Between:

Uppalapati Sampath Kumar

.... Petitioner

AND

Yerradasari Vijaya Kumar and 2 others

.... Respondents

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Civil Revision Petition No.2015 of 2015

ORDER:

-
The petitioner is the plaintiff in O.S.No.166 of 2011 on the file of Principal Junior Civil Judge, Proddatur, YSR Kadapa District. The petitioner wanted to mark an unregistered agreement dated 06-12-2002 for the alleged collateral purpose when the plaintiff was being examined as PW.1. Learned counsel for the defendant took objection for marking of the said document and the Court below upheld the objection on the ground that the agreement dated 06-02-2012 does not contain any recital with regard to delivery of possession, by order dated 20-07-2015. Challenging the same, the present Civil Revision Petition is filed.

Learned counsel for the petitioner herein filed the suit for permanent injunction against the respondents. Along with the plaint, the petitioner filed the said document dated 06-02-2012, the Photostat copy of the title deed bearing No.M-144540 and original registered Gift Settlement Deed dated 18-10-2008. A written

statement was filed stating that the said document dated 06-02-2012 is a void document as it does not contain the signatures of the defendants. The plaintiff wanted to mark the said document for collateral purpose. As rightly pointed out by the trial Court, the document does not contain any recital with regard to the possession, in the absence of which, it cannot be marked even for collateral purpose also. The order dated 20-02-2015 of the trial Court does not suffer from any irregularity, and hence, the Civil Revision Petition is liable to be dismissed.

Accordingly, the Civil Revision Petition is dismissed. No costs.

A. RAMALINGESWARA RAO, J

Date: 07-01-2016

Ksn