

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.01.2017

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

C.R.P.(PD).No.198 of 2017
and
C.M.P.No.856 of 2017

R.Senthilnathan .. Petitioner

Vs.

M.Chinnadurai .. Respondent

Civil Revision Petition filed under Article 227 of the Constitution of India against the fair and final order dated 11.11.2016 in I.A.No.969 of 2016 in I.A.No.299 of 2015 in O.S.No.179 of 2015 on the file of the Principal District Munsif Court, Erode.

For petitioner : Mr.V.S.Kesavan

ORDER

The revision petition is directed against the order refusing to reject the two documents which are marked as Exs.P-11 and P-12 in I.A.No.299 of 2015. Learned counsel for the revision petitioner submits that these documents were marked on the date on which the lawyers were on boycott, without recording their objections. But however, the impugned order is

passed based on the decision of the Supreme Court reported in 2001 (3) SCC 1 (Bipin Shantilal Panchal Vs. State of Gujarat and another). The said two documents are only the certificates issued by the Primary Agricultural Co-operative Society and the Village Administrative Officer. The main objection of the learned counsel is that the said documents have to be marked only through the persons who have issued them and they cannot be marked by the plaintiff. Therefore, the revision petitioner is seeking to reject those documents which are marked. While dismissing the said prayer, the trial Court has observed that the two documents are marked subject to the objections of the revision petitioner and the objections whatever that may be raised by the revision petitioner in this regard, should be considered at the time of arguments in the suit and dismissed the application with such liberty. As stated earlier, when the impugned order is passed based on the lines of the above decision of the Supreme Court, this Court is not inclined to interfere with the same. The impugned order of the trial Court is confirmed. The Civil Revision Petition is dismissed. No costs. C.M.P. is closed.

23.01.2017

Copy to

The Principal District Munsif, Erode.

PUSHPA SATHYANARAYANA, J

CS

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