

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CIVIL REVISION PETITION No.272 of 2017

ORDER:

Heard.

2. The present civil revision petition is filed under Article 227 of the Constitution of India aggrieved by the order dated 29.11.2016 passed in I.A.No.1005 of 2016 in O.S.No.57 of 2005 on the file of Senior Civil Judge, Puttur, wherein the petition filed under Order VIII, Rule 1-A(3) read with Section 151 of CPC seeking to grant leave to file the enclosed documents from District Revenue authorities, was rejected.

3. Learned counsel for the petitioner submits that the petitioner was brought as defendant No.10 in the month of June, 2016. Subsequently, she filed her written statement and therefore, she is entitled to adduce the evidence in support of her pleadings. Hence, it would be just and proper to receive the documents filed by the petitioner to prove her case. According to the petitioner, there was some delay in obtaining documents and as such she could not produce the same before the Court in time.

4. Learned counsel for the respondents disputed the plea made by the petitioner. However, he submits that a direction may be given for disposal of the main suit, at the earliest.

5. A reading of the material, would show that the petitioner herein was brought on record as defendant No.10 in the month of June, 2016. Immediately thereafter additional issues came to be framed and to that effect the petitioner also filed an affidavit in the month of November, 2016.

The request of the petitioner is with regard to filing of certain documents viz. Certified copies of S.F.A obtained from Central Surveyor Office on 15.06.2016, Field Map and SLR issued by Asst. Director, Survey and Land records Central Survey Office, Hyderabad, F.M.B. for Survey No.90 and Fair adangal of Kuppam Baduru Village accounts, issued by Tahsildar, R.C.Puram Mandal, Chief Affidavit filed by G.Sunitha as PW1 before the Settlement Officer, Chittoor, No.3 Adangal for said Survey Number, Endorsement given by the Tahsildar, R.C.Puram dated 17.04.2016, FMB dated 14.04.2016, three certified copies of petition (Conversion and Ryothwari) filed before Settlement Officer, Nellore, filed by the petitioner R.Rajamma and certified copy of orders in proceedings before the RDO, Chittoor. Since it is the case of the petitioner that it took sometime for her to obtain some of the documents from the concerned office and the said documents are essential to prove her case, the petitioner is permitted to produce the said documents, which would be marked subject to its proof, relevancy and admissibility. It is needless to mention that since the suit is of the year, 2005, the trial Court shall take steps for disposal of the main suit, as early as possible preferably within a period of three months from the date of receipt of a copy of the order.

6. With the above direction, the C.R.P. is disposed of. No costs.

As a sequel thereto, Miscellaneous Petitions, if any, pending, shall stand closed.

JUSTICE C. PRAVEEN KUMAR

07.04.2017

Note:

Issue CC in a week.

B/o.

vhb