

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CIVIL REVISION PETITION No.5654 of 2016

ORDER:

This Civil Revision Petition, under Article 227 of the Constitution of India, is filed aggrieved by the order, dated 27.09.2016, in O.S.No.223 of 2009 on the file of Principal Junior Civil Judge, Tuni,

2. Heard and perused the material available on record.

3. The impugned order reads as follows:

“The plaintiff counsel proposed to mark the documents as Exhibits. The defendants counsel raised objection for making of those documents. As we know there are two types of documents one is suit document and another is ancillary document. The suit document like agreement of sale etc., are supposed to be satisfying Stamp Act and Registration Act. Therefore, the said objections must be discussed at the time of marking in respect of suit documents. The other documents which are ancillary can be marked subject to objection, to avoid delay in proceedings. Therefore, for marking of document.”

4. As seen from the impugned order, it is clear that the Court below has passed the order without assigning any reason. Hence, the impugned order is liable to be set aside.

5. Accordingly, the Civil Revision Petition is allowed setting aside the order, dated 27.09.2016, in O.S.No.223 of 2009 on the file of Principal Junior Civil Judge, Tuni, and remanding the matter to the Court below for disposal afresh in accordance with law.

Miscellaneous Petitions pending, if any, in this Civil Revision
Petition shall stand closed. There shall be no order as to costs.

JUSTICE RAJA ELANGO

FEBRUARY 01, 2017
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Date: 01.02.2017

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