

HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN

Civil Revision Petition No.4968 of 2017

ORDER:

The petitioner, who is the 2nd defendant in a suit for specific performance of an agreement of sale, has come up with the above revision challenging an order of the trial Court dismissing his application for summoning the stamp vendor, who allegedly sold the stamp paper on which the agreement of sale is written.

2. Heard Mr. T.B.B. Krishna Mohan, learned counsel for the petitioner.

3. In the affidavit in support of the application for summoning the stamp vendor, the petitioner claimed that the suit agreement of sale is a fabricated document, prepared on Non-Judicial stamp papers purported to have been purchased by one Leelavathi, from the stamp vendor by name Vittal Rao. The petitioner claims that the said Leelavathi did not purchase the stamp paper, but the plaintiff purchased the stamp paper. Purportedly for establishing the same, the petitioner seeks to summon the stamp vendor.

4. But, the Joint Sub-Registrar has already been examined in the case as DW.4. Ex.X2 is the attested copy of the sales register of stamp papers pertaining to 20th December 2006. The same has been marked in evidence.

5. After having summoned the Joint Sub-Registrar and after having marked the attested copy of the sales register of stamp papers, nothing further requires to be done by summoning the stamp vendor. The stamp vendor cannot keep in memory, the names and identities of persons, who purchased the stamp papers long ago.

The records speak for themselves and the trial Court was right in rejecting the prayer for summoning the stamp vendor.

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

As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

V. RAMASUBRAMANIAN, J

Date: 22-09-2017

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