

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CIVIL REVISION PETITION No.6425 of 2016

ORDER:

This Civil Revision Petition is filed by the petitioner/respondent, under Article 227 of the Constitution of India, aggrieved by the order, dated 14.10.2016, passed in I.A.No.1120 of 2016 in O.P.No.123 of 2015, on the file of the Senior Civil Judge, Ramachandrapuram.

2. Heard and perused the entire material available on record.

3. The respondent/petitioner filed I.A.No.1120 of 2016 in O.P.No.123 of 2015 before the Senior Civil Judge, Ramachandrapuram, to receive documents for the purpose of marking them as exhibits on his behalf, wherein the learned trial Judge allowed the petition by observing as follows:

“Heard. This petition is filed by the petitioner to receive documents and to condone delay. The respondents filed counter denying the averments in the petition and prayed for dismissal of the petition. In view of the facts and circumstances of case, this petition is allowed subject to proof and relevancy.”

4. Learned counsel for the petitioner submitted that the trial Court without giving proper reasons received the documents without verifying the genuineness and admissibility of the documents and prayed to set aside the impugned order.

5. As rightly pointed out by the learned counsel for the petitioner, the impugned order does not disclose any reason for allowing the application. Hence, this Court is of the view that the matter can be remanded to the trial Court for fresh adjudication.

6. Accordingly, the Civil Revision Petition is allowed by setting aside the order, dated 14.10.2016, passed in I.A.No.1120 of 2016 in O.P.No.123 of 2015, on the file of the Senior Civil Judge, Ramachandrapuram, and the matter is remanded to the trial Court for fresh adjudication after hearing both sides. There shall be no order as to costs. Miscellaneous Petitions, if any, pending in this civil revision petition shall stand closed.

RAJA ELANGO,J

Date: 15th March, 2017

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