

IN THE HIGH COURT OF JUDICATURE AT MADRAS**Dated: 03.04.2018****Coram:****THE HONOURABLE MR.JUSTICE P.VELMURUGAN****C.R.P.(PD)No.1230 of 2018
& C.M.P.No.6277 of 2018**

Moorthy

Vs.

... Petitioner

Thangavel

... Respondent

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India pleaded to set aside the order dated 08.12.2017 made in I.A.No.225 of 2017 in O.S.No.68 of 2011 on the file of the Additional Subordinate Judge, Tindivanam by allowing this CRP.

For Petitioner : Mr.S.Lakshmanasamy

ORDER

The relief sought for in this revision petition is to set aside the order and Decreetal order dated 08.12.2017 made in I.A.No. 225 of 2017 in O.S.No.68 of 2011 on the file of the Additional Subordinate Judge, Tindivanam.

2. This petition is filed by the petitioner to receive the documents

under order 7 Rule 14 of CPC before the trial Court in I.A.Nos.225 of 2017 in O.S.No.68 of 2011, stating that he has produced 11 documents in which the trial Court allowed the said application only 1 to 7 and rejected 4 documents, documents Nos. 8 to 10 are directed to mark through medical officer, 11th document, is an unstamped receipt so it was dismissed by the trial Court. Aggrieved against the order, the present petition has been filed by the revision petitioner.

3. The learned counsel for the petitioner would submit that the trial Court has considered only 1 to 7 documents and rejected 11th document. Learned counsel for the petitioner submits that to summon the doctor for marking the documents 8 to 10 is not necessary and further he would submit that at the time of filing the application the trial Court has to receive the document only subject to admissibility and maintainability and could have adjourned the matter after marking the documents.

4. It is not in dispute, the petitioner has filed suit in the year 2011 after the commencement of the trial, the revision petitioner filed application to receive certain documents No.1 to 11. The trial Court has considered the facts of the case and rightly admitted the

documents 1 to 7 and gave a direction to mark documents No.8 to 10 through medical officer and rejected document No.11, on the ground that the same is unstamped receipts. There is no illegality or infirmity.

5. This Court does not find any reason to interfere with the order passed by the trial Court. Hence, civil revision petition is dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

03.04.2018

Index:Yes/No

Speaking order / Non speaking order

AT

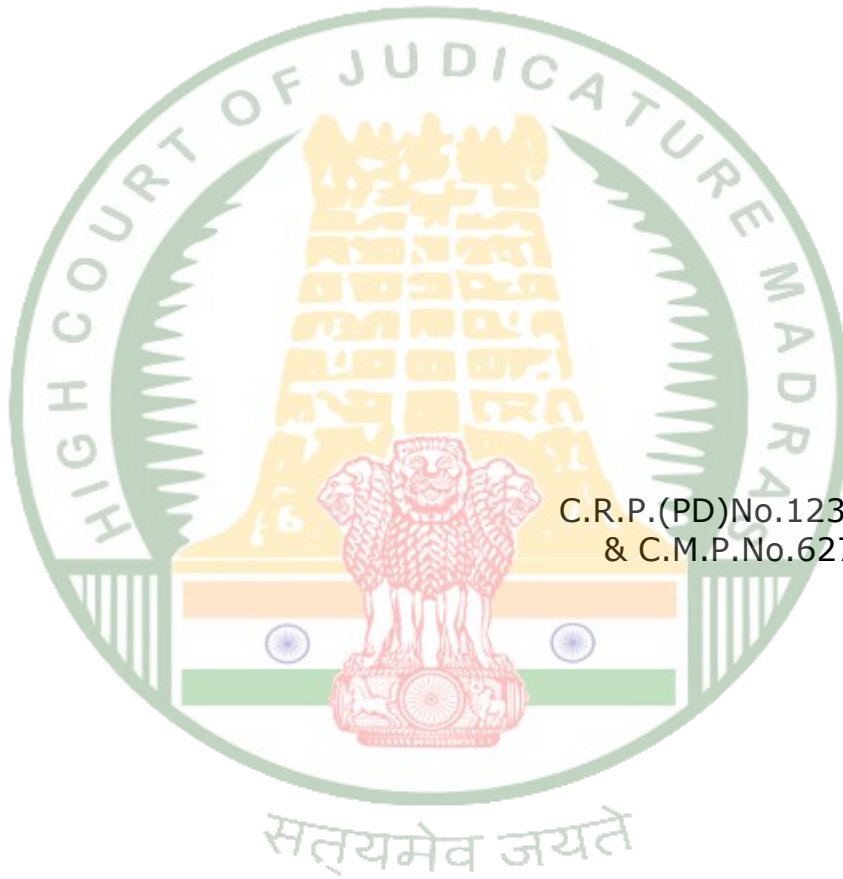
To

The Additional Subordinate Judge, Tindivanam

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P.VELMURUGAN. J,

AT



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