



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.06.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

C.R.P. (PD) (MD) No.308 of 2018

and

C.M.P (MD) No.1436 of 2018

M/s.Manapuram Finance Ltd.,
having its office at,
Door No.V 104, Manapuram House,
Thirissoor,
Kerala State,
Rep by its Managing Director.

... Revision Petitioner/Petitioner/
Respondent

Vs.

K.Selvaraj ... Respondent/Respondent/Petitioner

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, to allow the Civil Revision Petition and set aside the Fair and Decretal Order passed in I.A.No.1 of 2018 in R.C.O.P.No.3 of 2017 on the file of the Principal District Munsif Court, Ambasamudram, dated 12.01.2018.

For Petitioner : Mr.A.Sankararamasubramanian

For Respondent : Mr.R.J.Karthick

O R D E R

The petitioner/tenant has filed this Civil Revision Petition challenging the order passed by the learned Principal District Munsif, Ambasamudram, in I.A.No.1 of 2018 in R.C.O.P.No.3 of 2017, dated 12.01.2018

2.The petitioner, who is the respondent in R.C.O.P.No.3 of 2017, has filed an application for marking of some documents in the Rent Control Proceedings. The said application was dismissed on the ground that the petitioner has not paid the stamp duty and therefore, the documents cannot be marked.

3.The learned counsel appearing for the petitioner/tenant submitted that the petitioner has filed the application for



marking of documents, only to substantiate his claim.

4. It is represented by the learned counsel for the respondent/landlord that though the petitioner wants to mark some documents, this Court in number of cases, has held that even for the purpose of substantiating his case, if a party wants to mark some documents, the party should pay the requisite stamp duty and then only, the documents can be marked.

5. I have heard the submissions made on both sides and perused the materials available on record.

6. Considering the submissions made and also considering the facts and circumstances of the case, in the interest of justice, this Court is inclined to allow the Civil Revision Petition on the ground that the petitioner wants to mark the documents, to prove his case before the Court.

7. In the result, this Civil Revision Petition is allowed and the order passed by the learned Principal District Munsif, Ambasamudram in I.A.No.1 of 2018 in R.C.O.P.No.3 of 2017, dated 12.01.2018, is hereby set aside and the learned Principal District Munsif, Ambasamudram, is directed to permit the petitioner to mark such documents and to dispose of the R.C.O.P.No.3 of 2017 on day-to-day basis, within a period of two months from the date of receipt of a copy of this order. No Costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

The Principal District Munsif,
Ambasamudram.

+ 1 cc TO Mr.R.J.Karthick , Advocate in SR No. 68154

+ 1 cc TO Mr.A.Sankararama Subramanian, Advocate in SR No. 68094

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AE/SKN RSK/SAR2/18.06.2018/2P/4C

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