



Interlocutory Applications were dismissed. Hence, these two civil revision petitions have been filed.

2. Heard the learned counsel on either side.

3. The learned counsel appearing for the respondent pointed out that the documents that are sought to be sent for are not having any relation to the subject matter of the suit and they are not referred to in the plaint. He would further contend that even without applying for certified copy of the same, I.A.No.1036 of 2015 has been hastily filed and that therefore, it is pre-mature.

4. I am of the view that only if the certified copies are issued, the condition precedent namely, "apply for certified copy" can be invoked. In this case, as rightly pointed out by the learned counsel appearing for the revision petitioner, the documents in question are only petitions and complaints sent by the respondent herein and that the authority concerned will not be in a position to issue certified copies. Therefore, the said requirements has to be necessarily dispensed with in this case.

5. I am in agreement with the said submission. It is not the case of the respondent that he did not send any complaint or petition to the authorities.

6. Whether the respondent herein had actually sent complaint against the petitioner or not will be known only if the documents, that are sought to be sent for are received from the authorities concerned.

7. In any event, the suit is one claiming damages from the defendant on the ground that he has defamed the revision petitioner.

The revision petitioner has specifically alleged that the respondent has sent numerous complaints against him. Therefore, the orders impugned in these civil revision petitions stand quashed and accordingly, these civil revision petitions are allowed. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/
Deputy Registrar(Accounts)

/True copy/

Sub Assistant Registrar(CS-IV)

To:

The Sub Judge, Valliyoor.

+1cc to Mr.V.CHANDRASEKAR, Advocate, SR.No. 88564

<https://hcdccs.ednps.mn/mse/dcs> Mr.M.Senthil, Advocate, SR.No.88495



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