

**THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO**

**CIVIL REVISION PETITION No.77 of 2019**

**ORDER :**

This Revision is filed under Article 227 of the Constitution of India challenging the order dt.05-10-2018 in I.A.No.447 of 2018 in O.S.No.187 of 2017 of the Additional Junior Civil Judge at Malkajgiri, Ranga Reddy District.

2. Pursuant to the said order, the Court below had permitted comparison of thumb impressions of the respondent and his parents alleged to be on the sale deed bearing Doc.No.3045/2000 dt.12-06-2000 along with two independent Will deeds dt.05-09-2003 allegedly executed by respondent's parents.

3. Petitioner contends that the said unregistered Wills allegedly executed by the parents of respondent are not admitted, and the thumb impressions appearing on the said unregistered Wills cannot be compared with the thumb impressions on the sale deed dt.12-06-2000 being relied upon by petitioner.

4. Though learned counsel for respondent sought to impress that such a course of action can be adopted, I do not agree with the said submission.

5. When the thumb impressions appearing on two Will deeds dt.05-09-2003 are disputed and not admitted to be the thumb

impressions of the parents of respondent by petitioner, they cannot be taken into account to decide whether the thumb impressions on the sale deed dt.12-06-2000 being relied upon by petitioner are that of the parents of respondent.

6. Accordingly, the Civil Revision Petition is allowed; the order dt.05-10-2018 in I.A.No.447 of 2018 in O.S.No.187 of 2017 of the Additional Junior Civil Judge at Malkajgiri, Ranga Reddy District is set aside; and the said I.A. is allowed. No costs.

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

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**JUSTICE M.S.RAMACHANDRA RAO**

Date: 25-07-2019

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