

THE HONOURABLE SRI JUSTICE M.S. RAMACHANDRA RAO

CRP. No.489 of 2019

ORDER:

This Revision is filed under Article 227 of the Constitution of India assailing the order dt.26.11.2018 passed in O.S. No.74 of 2009 by the Junior Civil Judge, Wanaparthy.

2. During the course of cross examination of P.W.3, a Memo was filed by the counsel for the defendants along with a document dt.18.11.2001. P.W.3 admitted during his cross-examination that they partitioned their joint family properties through 'sada paper' before the elders of Tatipamula village.

3. The petitioner disputed the said document and contends that it is not original and only a photo copy. The Court then examined the document and came to the conclusion that it was original and not a photo copy and it can be received as evidence, after collection of stamp duty. Challenging the same, this Revision petition is filed.

4. Though the counsel for the petitioner seeks to contend that the document dt. 18.11.2001 produced by the respondent is not in original and is only a photo copy, since the document in question was, in fact, examined by the trial Court and it had come to the conclusion that it was original, the order passed by the Court below does not warrant any interference by this Court by exercising of its jurisdiction under Article 227 of the Constitution of India.

5. This Revision is dismissed accordingly. There shall be no order as to costs.

6. As a sequel, miscellaneous applications, if any, pending shall stand closed.

JUSTICE M.S. RAMACHANDRA RAO

Date: 16.04.2019.
LSK

