

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.06.2021

CORAM

THE HON'BLE Mr. JUSTICE **G.K.ILANTHIRAIYAN**

C.R.P.(PD)No.2480 of 2018

C.M.P.No.15229 of 2018

Krishnaveni

... Petitioner

Vs.

Munnabai

... Respondent

Prayer :- Civil Revision Petition is filed under Article 227 of the Constitution of India to set aside the fair and decreetal order dated 10.07.2018 passed in I.A.No.302 of 2018 in O.S.No.114 of 2015 on the file of the learned Additional Subordinate Judge, Tindivanam.

For Petitioner : No appearance

For Respondent : No appearance

ORDER

This Civil Revision Petition is directed as against the fair and decreetal order dated 10.07.2018, passed by the learned Additional Subordinate Judge, Tindivanam, in I.A.No.302 of 2018 in O.S.No.114 of 2015, thereby dismissing the petition to mark the payment receipt dated 18.08.2014.

2. The petitioner is the defendant and the respondent is the plaintiff. The respondent filed suit for specific performance on the strength of the Agreement for sale dated 03.07.2014. When the suit was posted for defence side evidence, the petitioner filed petition in I.A.No.302 of 2018 seeking permission to mark a payment receipt alleged to have been issued by one Raman in her favour, on receipt of Rs.12,000/- towards interest for the borrowed amount. The trial Court dismissed the said petition, as against which the present Civil Revision Petition.

3. It is seen from the records, the petitioner alleged that the said receipt was issued by the respondent through the said Raman, who is none other than the brother of the respondent. However, the petitioner is taking a plea that the agreement for sale was not intended upon and executed as a security for the loan availed by the petitioner. Admittedly, the receipt which sought to be marked was issued by one Raman, who is the brother of the respondent and it has no relevancy with the present suit. Therefore, the Court below rightly dismissed the petition and this Court finds no infirmity or illegality in the order passed by the Court below.

4. Accordingly, this Civil Revision Petition stands dismissed. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

17.06.2021

Internet : Yes

Index : Yes/No

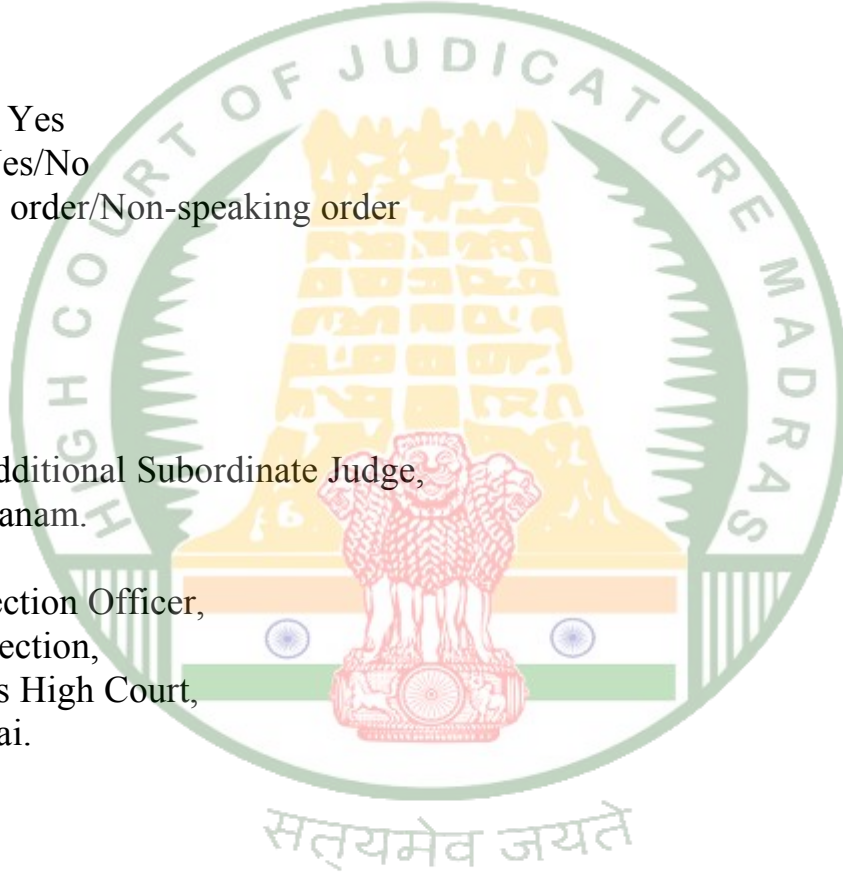
Speaking order/Non-speaking order

rts

To

1. The Additional Subordinate Judge,
Tindivanam.

2. The Section Officer,
V.R. Section,
Madras High Court,
Chennai.

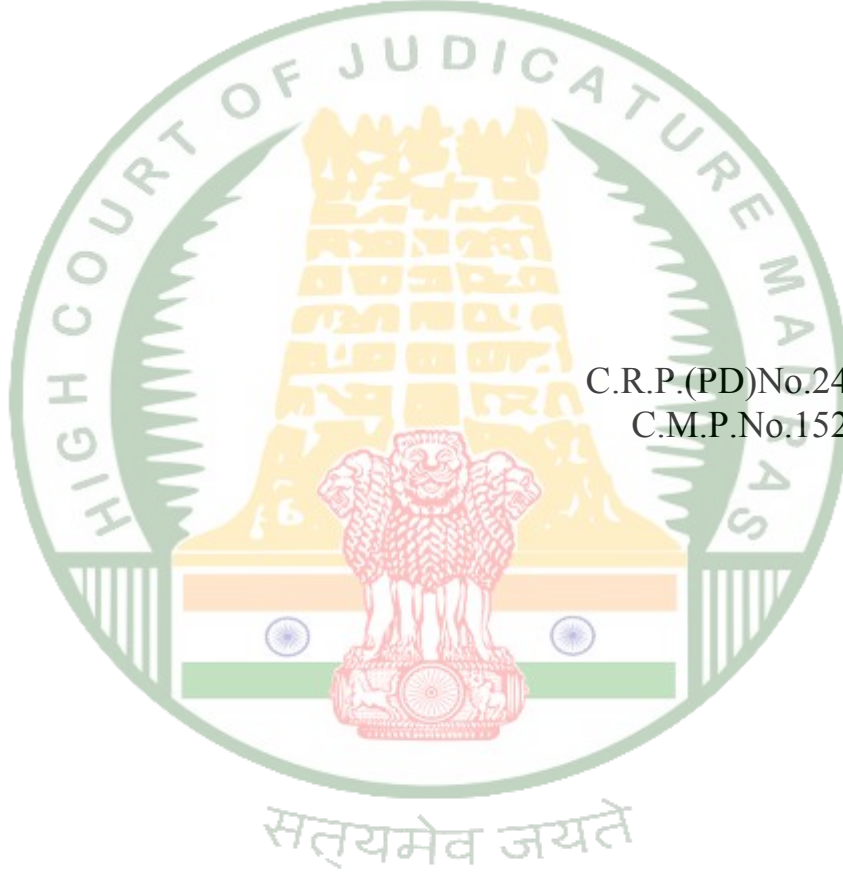


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G.K.ILANTHIRAIYAN, J.

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