

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.02.2021

CORAM

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

CRP.PD.No. 4012 of 2016

and

CMP.No.20265 of 2016

A.Valarmathy ... Petitioner

Vs.

S.Jalapathy ... Respondent

PRAYER: The Civil Revision Petition is filed under Article 227 of the Constitution of India, against the order dated 18.08.2016 made in I.A.No.128 of 2015 in O.S.No.79 of 2012 on the file of the Court of the Subordinate Judge, Vaniyambadi.

For Petitioner : Mr.M.V.Krishnan

For Respondent : No Appearance

ORDER

This Civil Revision Petition is directed as against the fair and decretal order passed in I.A.No.128 of 2015 in O.S.No.79 of 2012 dated 18.08.2016 on the file of the learned Subordinate Judge, Vaniyambadi, thereby, dismissing the petition filed by the petitioner to direct the respondent to pay the required stamp duty and penalty on Ex.A.1.

2. The petitioner is the defendant in the suit filed by the respondent for recovery of money. The respondent was examined as P.W.1 and the document which was marked as Ex.A.1 is nothing but letter of acknowledgment for the amount received by the petitioner herein. That apart, it does not contain any order to pay any amount to any person. Therefore, the said document will not come under the Negotiable Instrument or Will of Exchange. Therefore, it does not require any stamp duty or penalty. Thus, this Court finds no irregularity or infirmity in the order passed by the Court below.

3. Accordingly, this Civil Revision Petition is dismissed. However, the suit is of the year 2012 and the trial Court is directed to dispose the same within a period of six months from the date of receipt of a copy of this order. Consequently, the connected Miscellaneous Petition is closed. No costs.

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Speaking/Non-speaking order

Index : Yes/No

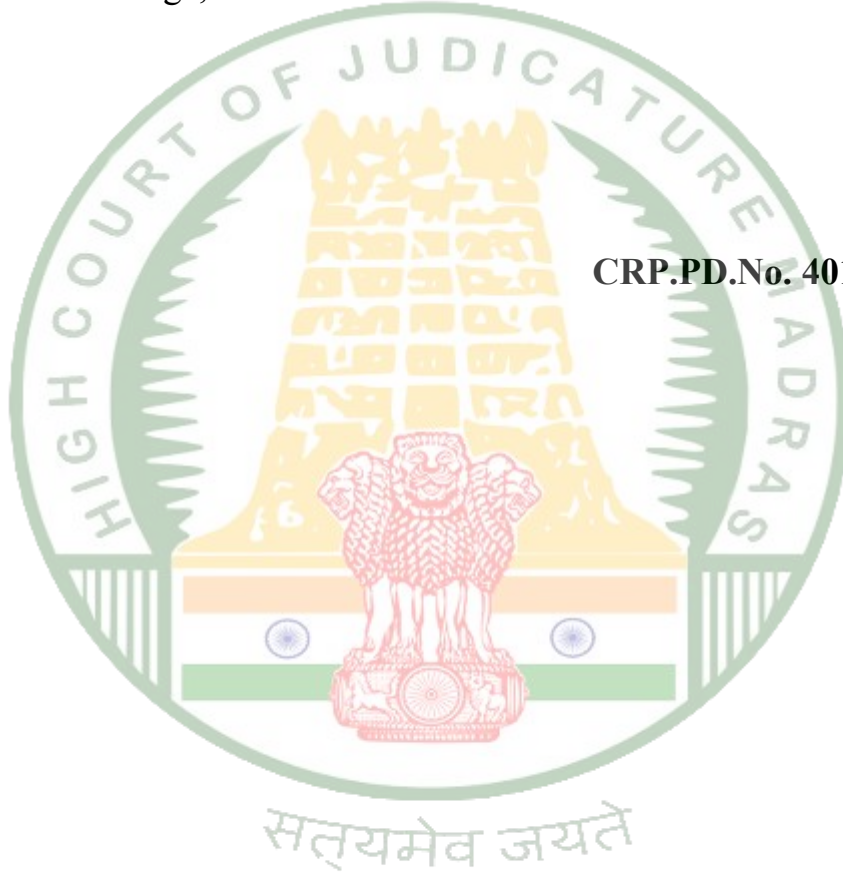
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G.K.ILANTHIRAIYAN,J.

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To
The Subordinate Judge, Bhavani.



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