

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2021

CORAM

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

**C.R.P.(PD) No. 4095 of 2018
and CMP No.22616 of 2018**

Joseph Easaiyan ... Petitioner
Vs
1.Shree Kariyakkal
2.Latha Rajendran ... Respondents

Prayer :- Civil Revision Petition is filed under Article 227 of Constitution of India, to set aside the fair and decreetal order dated 23.10.2018 made in I.A.No.739 of 2018 in O.S.No.292 of 2009 on the file of the District Munsif, Tambaram.

For Petitioner : Mr.D.AshokKumar

For Respondent : Mr.Mannan
for Mr.A.Paramasivam

ORDER

This Civil Revision Petition is filed against the fair and decreetal order 23.10.2018 made in I.A.No.739 of 2018 in O.S.No.292 of 2009 on

the file of the District Munsif, Tambaram, thereby dismissing the petition to reject the documents received and marked as evidence on the side of the respondents.

2. The petitioner is the defendant and the respondents are the plaintiffs. The respondents filed a suit for permanent injunction in respect of the suit property. During the trial, the first respondent was examined as P.W.1 and she marked so many exhibits, in which Exs.A13 to Ex.A16 were all xerox copies duly attested by the concerned Village Administrative Officer. Those documents were marked with objections raised by the petitioner herein. After marking those documents, the petitioner filed a petition to reject those documents and evidence marked through P.W.1 as Exs.A13 to Ex.A16. The only ground raised by the petitioner is that the person who attested Ex.A13 to Ex.A16 is not a competent one to issue certified copies. The Court below dismissed the petition for the reason that, mere marking of the documents with objections does not confer any rights to any of the parties and it is further viewed that the relevancy and admissibility of the documents to

be considered only at the time of Judgment. Therefore, the Court below rightly dismissed the petition.

3. Accordingly, this Court finds no infirmity or illegality in the order passed by the Court below. Hence, the Civil Revision Petition is dismissed. No order as to costs. Consequently, connected Miscellaneous Petition is closed.

23.06.2021

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Index: Yes/No
Internet: Yes/No
Speaking Order: Yes/No

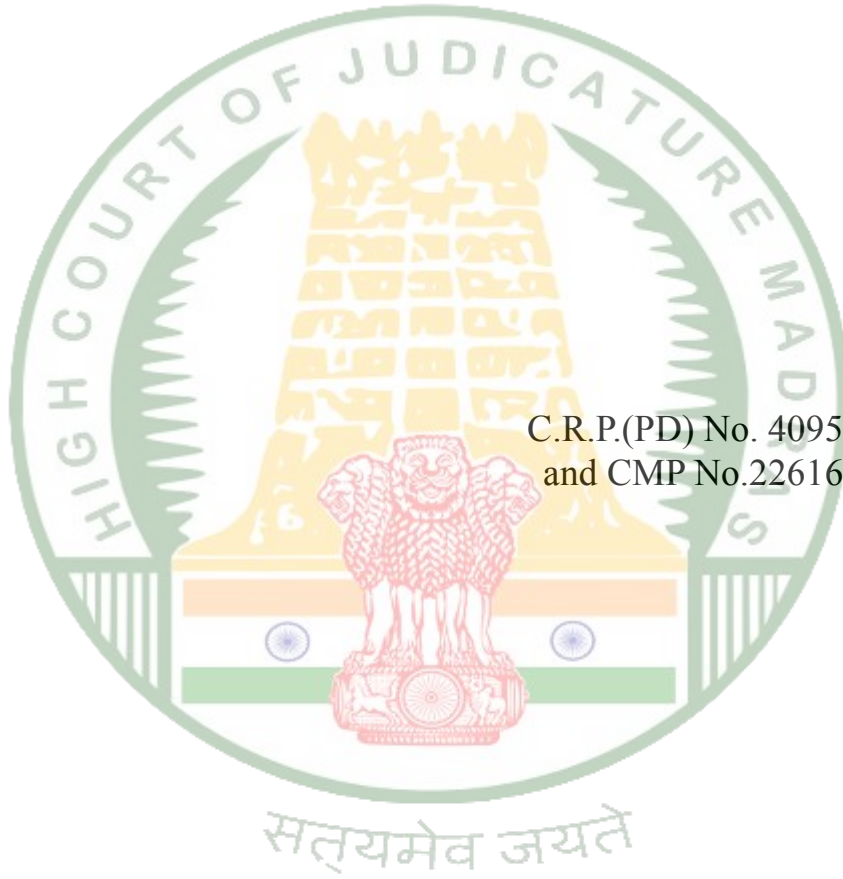
To
The District Munsif,
Tambaram.

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C.R.P.(P.D).No.4095 of 2018

G.K.ILANTHIRAIYAN.J,

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