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C.R.P.No.3704 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.02.2023

CORAM

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

C.R.P.No.3704 of 2019

and

C.M.P.No.24355 of 2019

1. Ammasi
2. Sakthivel
3. Ganesan

.... Petitioners

Vs

Kaliyan

.... Respondent

Prayer :- Civil Revision Petition is filed under Article 227 of Constitution of India to set aside the fair and decretal order dated 29.08.2019 made in I.A.No.1248 of 2017 in O.S.No.293 of 2013 on the file of the I Additional District Munsif, Kallakurichi.

For Petitioners : Mr.N.Manoharan

For Respondent : Ms.K.Amsalekha
for Mr.S.Ramajayam

ORDER

This Civil Revision Petition has been filed to set aside the fair and decretal order dated 29.08.2019 made in I.A.No.1248 of 2017 in O.S.No.293 of 2013 on the file of the I Additional District Munsif, Kallakurichi, thereby dismissing the petition filed under Order 13 Rule 3



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of CPC to reject Exs.A1 and A2.

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2. The petitioners are the defendants in the suit filed by the respondent herein. The respondent filed a suit for declaration and injunction in respect of the suit property. The respondent claimed the suit property by unregistered sale deeds, which were marked as Exs.A1 and A2. While marking Exs.A1 and A2, they were impounded for payment of sufficient stamp duty and penalty. Accordingly, the respondent paid sufficient stamp duty along with penalty and thereafter, both the documents were marked as Exs.A1 and A2.

3. Admittedly, both the documents were unregistered one and they were impounded for deficit stamp duty and penalty. Accordingly, the respondent paid sufficient stamp duty along with penalty and thereafter, both the documents were marked as Exs.A1 and A2. Therefore, the Court below rightly rejected the petition.

4. Hence, this Court finds no infirmity or illegality in the order dated 29.08.2019 made in I.A.No.1248 of 2017 in O.S.No.293 of 2013 on the file of the I Additional District Munsif, Kallakurichi. Accordingly,



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this Civil Revision Petition stands dismissed. Consequently, connected
miscellaneous petition is closed. No costs.

27.02.2023

Index:Yes/No
Internet:Yes/No
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To

The I Additional District Munsif,
Kallakurichi.

G.K.ILANTHIRAIYAN, J.

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