

IN THE COURT OF THE JUDICIAL MAGISTRATE OF I CLASS,
SPECIAL MOBILE COURT, ONGOLE.

Present :: **Sri Kumar Vivek,**
Judl. Magistrate of I Class,
Special Mobile Court, Ongole.

Monday, this the 29th day of August, 2016.

Crl. M.P.no. 4085 of 2016 in DVC 1 of 2015

Between:

Ravuri Sujatha W/o Hanumantha Rao, 45 years,
R/o Near old market centre, Neelayapalem, Ongole. ... Petitioner
Vs.

Ravuri Hanumantha Rao S/o Venkateswarlu, 50 years,
R/o Jammulapalem village, Tangutur mandal. ... Respondent

This case is coming on 19-08-2016 for final hearing before me in the presence of Sri N.Mohan Das, Advocate for the petitioner and of Sri P.Srinivas, Advocate for the respondent and upon perusing the material available on record, upon hearing the arguments on both sides and having stood over for consideration till this day, this Court delivered the following:-

// ORDER //

1. This is petition filed on behalf of the petitioner for the purpose of receiving original Aadhar card and Voter ID card of the petitioner, birth certificate, and photostat copies of Secondary School certificate and Intermediate certificate of the daughter of the petitioner by name Ravuri Vani on the ground that those documents are crucial to prove the case of the petitioner against the respondent.

2. Counter is filed on behalf of the respondent submitting that without knowledge of the respondent the petitioner had mentioned the name of the respondent as her husband and obtained Aadhar card, Voter ID card and certificates of one Ravuri Vani as such the said documents will not establish that the respondent is the father of the said Ravuri Vani and husband of the petitioner.

3. Heard arguments advanced on both sides.

4. Perused the material on record.

5. **Point for determination:**

Whether the documents filed on behalf of the petitioner can be received on the record of the case ?

6. **Point:**

The petitioner submits that the respondent is her husband and one

Ravuri Vani has born out of her wedlock with the respondent. The respondent denies the same. Therefore, to substantiate her contention the petitioner has produced her original Aadhar card, Voter ID card and birth certificate of one Ravuri Vani, photostat copies of Secondary School Certificate and Intermediate certificate of said Ravuri Vani to show that the respondent is her husband and she is entitled to the reliefs claimed by her in the petition. The respondent opposes the present petition on the ground that documents sought to be brought on the record of the case by the petitioner are self serving documents as they were obtained by the petitioner without knowledge of the respondent. The respondent do not dispute the genuineness of the documents sought to be received on the record of the case by the petitioner that *prima faice* shows that the respondent is her husband. The probative value of the documents sought to be received by the petitioner on the record of the case on the ground contended by the respondent cannot be considered at this stage and the same has to be adjudicated in the full fledged trial. Moreover, if the documents sought to be received on the record of the case by the petitioner are not received by this Court, it will in all probabilities prejudice the case of the petitioner against the respondent, whereas if the said documents are received on the record of the case as such no prejudice is likely to be caused to the respondent as he can cross-examine the petitioner in respect of the said documents to substantiate his contention.

7. Accordingly, in view of foregoing discussion this Court hold that it is just and proper to receive the documents filed on behalf of the petitioner. It is made clear that the documents are received on the record of the case with subject to their proof, relevancy and admissibility.

8. In the result, the Crl.M.P is allowed.

Dictated to the Personal Assistant, transcribed by him, corrected and pronounced by me in the open Court on this, the 29th day of August, 2016.

JUDL.MAGISTRATE OF I CLASS,
SPL.MOBILE COURT, ONGOLE.
APPENDIX OF EVIDENCE
- NIL -

JUDL.MAGISTRATE OF I CLASS,
SPL.MOBILE COURT, ONGOLE.