

## IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.09.2016

CORAM:

THE HON'BLE MR.JUSTICE K.K.SASIDHARAN

CRP(PD)Nos.2417 and 2418 of 2014  
and M.P.No.1 of 2014

Sivagami ... Petitioner in both CRPs.

Versus

Ignatius Samuel ... Respondent in both CRPs.

Prayer in CRP(PD)No.2417 of 2014: This Petition filed under Article 227 of the constitution of India against the fair and decreetal order dated 08.01.2014 made in I.A.No.615 of 2013 in M.O.P.No.188 of 2008 on the file of the Family Judge, Pondicherry.

Prayer in CRP(PD)No.2418 of 2014: This petition filed under Article 227 of the Constitution of India against the fair and decreetal order dated 08.01.2014 made in I.A.No.616 of 2013 in M.O.P.No.188 of 2008 on the file of the Family Judge, Pondicherry.

For Petitioner  
in both CRPs. : Mr.V.Lakshminarayanan  
For Respondent  
in both CRPs. : Mr.S.Mahimairaj

COMMON ORDER

The petitioner filed two applications before the Trial Court, i.e. one for re-opening the evidence on her side and another to receive the list of witnesses after condoning the delay. The applications were dismissed by the learned Trial Judge primarily on the ground of delay. Feeling aggrieved, the petitioner is

before this Court.

2. When the Civil Revision Petitions came up for hearing on an earlier occasion, this Court pointed out to the learned counsel for the petitioner as to whether the petitioner is prepared to produce the evidence, in case, the case is posted for examination on a particular date. The learned counsel on instruction submitted that the petitioner would complete the examination of witnesses on the very same day itself.

3. The learned counsel for the respondent fairly submitted that the respondent has no objection in cross examination of witnesses by allowing the application Nos.615 and 616 of 2013, provided, the petitioner undertakes to complete the examination of witnesses.

4. The petitioner wanted to examine two witnesses on her side. It is true that there was a delay in filing the application for reception of list of witnesses by the petitioner. Now that the parties have agreed for examination of witnesses on a particular date, opportunity should be given for such a course.

5. The learned Trial Judge is directed to post the matter for evidence on 06.10.2016. The petitioner shall bring witnesses for examination without

making a request to the Court to issue summons to the witnesses. The respondent shall cross examine the witnesses on the very same day. The petitioner would not be given further time to produce the witnesses as it is a time bound order. The learned Trial Judge is directed to dispose of the matter as expeditiously as possible.

6. The Civil Revision Petitions are disposed of with the above direction. No costs. Consequently connected miscellaneous petition is closed.

26.09.2016

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Note : Issue order copy by 03.10.2016

To

The Family Judge,  
Pondicherry.

K.K.SASIDHARAN, J.

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