

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 10.03.2016

CORAM

THE HONOURABLE Mr. JUSTICE P.R.SHIVAKUMAR

C.R.P.[PD] No.3829 of 2014
and M.P.No.1 of 2014

R.N.Senthil Kumar

... Petitioner

Vs

S.Subashini

... Respondent

Civil Revision Petition filed under Article 227 of the Constitution of India against the order and decretal order passed in I.A.No.965 of 2014 in O.P.No.2608 of 2009 on the file of the II Additional Family Court, Chennai dated 24.07.2014.

For Petitioner : Mr.G.Suriyanarayanan

For Respondent : Mr.R.Venkata Varadhan
for Ms.C.Uma

ORDER

Heard both sides.

2. The only grievance of the petitioner is that he having come down from Unites States for his examination as a witness in the O.P, after his petition for his examination through video conferencing

method came to be dismissed, is unnecessarily made to stay back because of the dilatory tactics adopted by the respondent and the counsel for the respondent with a view to see that he is in troubles as he would not be in a position to go and join his job in United States.

3. On the other hand, learned counsel for the respondent would submit that the counter runs about 27 pages and proof affidavit runs about 27 pages and that therefore more time will be taken for completing the cross examination. Simply because the proof affidavit which may be duplication of the counter runs to 27 pages, it does not mean that the counsel for the respondent herein shall have to take hours together to complete the cross examination. The evidence should not be made to become unwieldy. Hence, this Court is of the view that a direction as prayed for by the petitioner in the Civil Revision Petition has to be issued, directing the trial Court to have the cross examination of the petitioner in the Civil Revision Petition, who is the respondent in the O.P and who figures as R.W1 on a daytoday basis and complete the recording of his evidence in cross examination within a week from today.

4. In the result, the Civil Revision Petition is disposed of

directing the trial Court to have the cross examination of the petitioner in the Civil Revision Petition, who is the respondent in the O.P and who figures as R.W1 on a daytoday basis and complete the recording of his evidence in cross examination within a week from today. No costs. Consequently, the connected miscellaneous petition is closed.

10.03.2016

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Note: Issue order copy on 11.03.2016

To

The II Additional Family Court,
Chennai

P.R.SHIVAKUMAR, J

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