

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.09.2016

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

CRP [PD] No.2888 of 2016 and
CMP.No.14599 of 2016

B.Jothilakshmi

...Petitioner

versus

J.Arulmurugan

...Respondent

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India against the dismissal of the interim petition in IA.NO.42/2016 in HMOP No.43/2010 on the file of the Sub Judge, Ponneri.

For Petitioner : Mr.S.Arokia Maniraj

For Respondent : Mr.M.Anandraj

O R D E R

The above civil revision petition has been filed by the petitioner against the dismissal of the application in IA.No.42/2016 in HMOP No.43/2010.

2 The learned Judge dismissed the application filed by the petitioner to direct the parents of the respondent to give evidence on her side.

3 When this Civil Revision Petition came up for hearing before this Court on 22.09.2016, a question was posed to the learned counsel for the petitioner as to whether the parents of the respondent are prepared to swear an affidavit. The learned counsel took time to produce the chief affidavit of the parents of the respondent. The matter was adjourned to be posted today.

4 Even today, the learned counsel for the petitioner seeks only adjournment.

5 There is no question of compelling the parents of the respondent to be a witness against him. The petitioner has taken up a contention that the parents of the respondent are prepared to give evidence in her favour by appearing before the Court. It was only to prove the bona fides of the said contention, the petitioner was directed to produce the chief affidavit of the parents of the respondent. The course of conduct adopted by the petitioner clearly show that there is no bona fides in the contention taken by her.

6 Therefore, I am of the view that there is no merit in the Civil Revision Petition.

7 In the result, the Civil Revision Petition is dismissed. No costs. Consequently, the connected miscellaneous petition is also dismissed.

29.09.2016

Index:Yes/No

AP

To
The Sub Judge
Ponneri.

K.K.SASIDHARAN, J.

AP

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