

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.04.2017

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THE HONOURABLE MR. JUSTICE M. DURAISWAMY

Review Application No.35 OF 2017

in

C.R.P.(PD) No.1130 of 2017

Vikram V.Rajkumar

... Applicant

v.

R.Rejitha

... Respondent

Review Application filed under Order 48 Rule 1 of the Civil Procedure Code against the order dated 22.03.2017 passed in C.R.P.(PD)No.1130 of 2017 on the file of this Court.

For Applicant : Mr.R.Esakki Raja

For Respondent : Mr.Senthilnathan

ORDER

By order dated 22.03.2017, this Court had disposed of the Civil Revision Petition, giving liberty to the review applicant to mark the photographs and Videograph through the person who had

taken the photographs and Videograph.

2. When the Review Application was taken up for hearing, Mr.R.Esakkiraja, learned counsel for the review applicant submitted that the review applicant had filed a third party affidavit of one Vignesh Murali stating that he was in possession of the photographs and Videograph and that he had handed over the photographs and Video to the review applicant. According to the learned counsel, the third party affidavit was also produced before the Family Court. Now, in the review application, the learned counsel made a submission that the said Vignesh Murali cannot be examined on the side of the review applicant for the reason that he will not depose evidence before the Family Court. Further, the learned counsel submitted that the review applicant should be permitted to mark the photographs and Video before the Family Court instead of marking those documents through the person who had taken them viz., Vignesh Murali.

3. Since the submission made by the learned counsel is against the settled position of law, the submission is rejected. That apart, the applicant has not made out a case under Order XLVII Rule 1 of Code of Civil Procedure warranting interference by way of review.

4. Since there is no error apparent on the face of the record, the review application filed by the applicant is liable to be rejected and accordingly, the same is dismissed. No costs.

17.04.2017

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To

The II Additional Family Court
Chennai.

M. DURAISWAMY, J

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