

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 18.09.2018

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THE HONOURABLE MR.JUSTICE M.S.RAMESH

**C.R.P (PD) Nos.2688 & 2689 of 2018
and
CMP.Nos.15958 of 2018**

Prema

..Petitioner
in both CRPs

Vs.

Jegan Babu

..Respondent
in both CRPs

Prayer : This Civil Revision Petitions filed under Section 227 of Civil Revision Petition to set aside the fair and decretal order dated 26.07.2018 made in I.A.No.67 of 2018 and 68 of 2018 in HMOP.No. 100 of 2017 on the file of the Sub Court, Ranipet.

For Petitioner : M/s.Sarvabhauman Associates
(in both CRPs)

COMMON ORDER

Aggrieved against the rejection of the petitioner's application filed under Order 18 Rule 17 CPC to reopen and recall PW1 for further cross examination, the present revision has been filed.

2. Today, when the matter was called, Mr.Muniappa Raj, learned counsel appearing for the respondent submitted that in the earlier direction of this Court made in Tr.CMP. No. 325 of 2017 dated 30.06.2017, the trial Court was directed to dispose of the main HMOP within a period of six weeks and as such any further time for cross examination would only further delay the proceedings.

3. Nevertheless, the learned counsel for the petitioner submitted that the petitioner herein has sought for further cross examination on the ground that, though PW1 has been liberally cross examined earlier, the aspect of the petition filed under Section 27 of the Hindu Marriage Act was not gone into. It is also seen that the respondent denied receiving of sreedhana articles.

4. In my view, if the cross examination is restricted to one day, no prejudice would be caused to the respondent herein. In the light of the observations, the order of the learned Sub Judge, Ranipet passed in I.A. No.67 of 2018 and 68 of 2018 in HMOP.No.100 of 2017 dated 26.07.2018 is set aside. Consequently, the petitioner herein is permitted to reopen and recall PW1 and cross examine him on or before 25.09.2018.

5. In view of the earlier order of this Court dated 30.06.2017 passed in Tr.CMP.No. 325 of 2017, the learned Sub Judge, Ranipet shall endeavour to complete the proceedings in the main HMOP No. 100 of 2017, within a period of 30 days from the date of completion of cross examination.

6. With the above observations and directions, these Civil Revision Petition stand disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

18.09.2018

Index: yes/no
Internet: Yes/no

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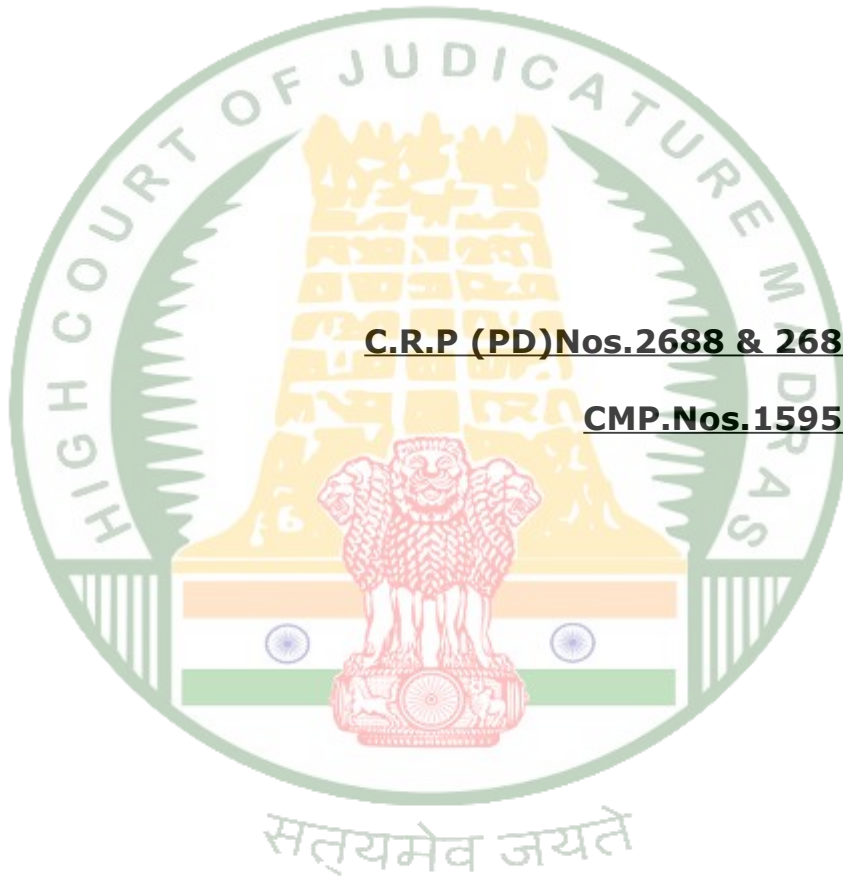
To
The Sub Judge,
Ranipet.

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M.S.RAMESH,J

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