

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.02.2018

CORAM:

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

CRP(PD).No.774 of 2018
and CMP.No.4245 of 2018

M.Kameshraj

.. Petitioner

Vs

K.Sharmila

.. Respondent

PRAYER

Civil Revision Petition filed under Article 227 of the Constitution of India to eschew the cross-examination of the PW1 dated 04.01.2018 and 30.01.2018 in IA.No.172 of 2017, IA.No.2483 of 2017 & IA.No.2652 of 2016 in OP.No.1492 of 2016 on the file of learned II Additional Family Court, Chennai.

For Petitioner : Mr.K.Rajasekaran

ORDER

According to the revision petitioner, the revision petitioner has filed the present Civil Revision Petition to eschew the cross-examination of the PW1 dated 04.01.2018 and 30.01.2018

IA.No.172 of 2017, IA.No.2483 of 2017 & IA.No.2652 of 2016 in OP.No.1492 of 2016 on the file of the learned II Additional Family Court, Chennai. According to the revision petitioner, the cross-examination of PW1 with regard to the questions directly and substantially involved in the mediation process conducted by the Hon'ble High Court at the Hon'ble Judge's chamber was recorded, even though it was objected by the revision petitioner that the said proceedings could not be recorded. Therefore, the revision petitioner has filed the present Civil Revision Petition before this Court to eschew the cross-examination of PW1 in the above applications.

2. Heard the learned counsel for the revision petitioner and perused the materials available on record.

3. On perusing the records, it is seen that without filing an appropriate application before the court below, the revision petitioner has straight away filed the present Civil Revision Petition under Article 227 of the Constitution of India. Therefore, this Court is not inclined to entertain the Civil Revision Petition. However, the said contention of eschewing the cross-examination of PW1 can very well be agitated by the

revision petitioner before the court below by filing an appropriate application. If any such application is filed by the revision petitioner, the same shall be considered by the learned II Additional Family Court, Chennai on merits and in accordance with law.

4. Thus, the Civil Revision Petition is disposed of with above observations. Consequently, the connected miscellaneous petition is closed. No costs.

28.02.2018

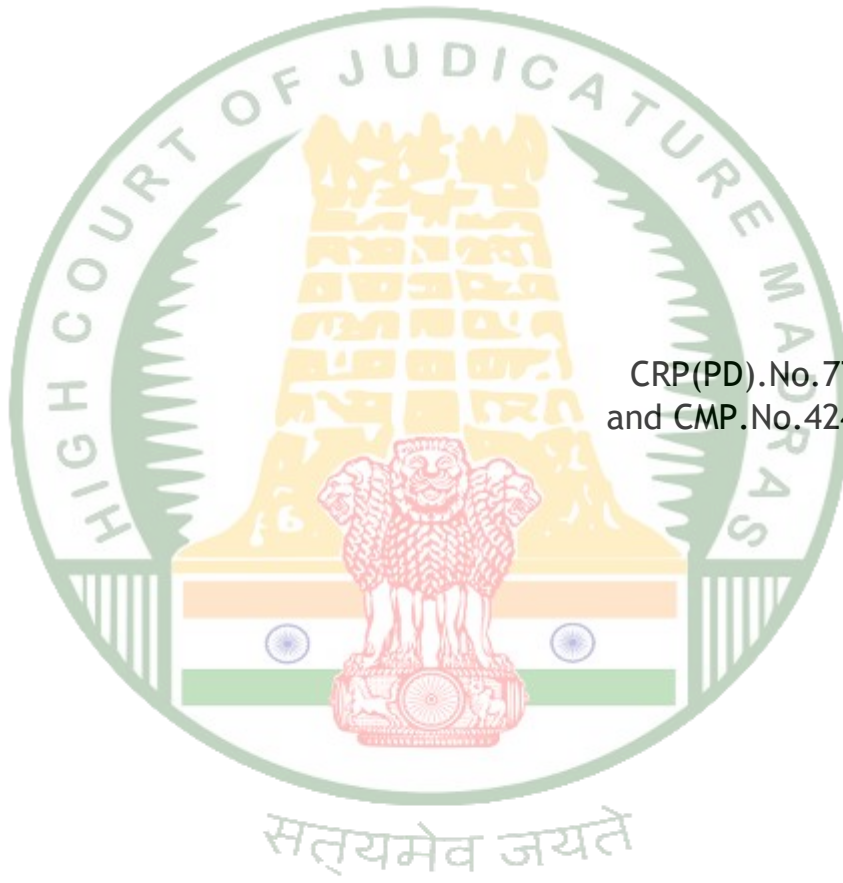
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To

The learned II Additional Family Court,
Chennai

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D. KRISHNAKUMAR J.,



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