

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

C.R.P. (PD) No.1550 of 2021

and

C.M.P. No.12160 of 2021

Dr.Senthil Kumar Elangovan

...

Petitioner

versus

Dr.Gnanakalyani

...

Respondent

PRAYER: Civil Revision Petition has been filed under Article 227 of the Constitution of India, to set aside the order and decree of the IV Additional Family Judge, Chennai dated 27.07.2021 made in I.A.No. 1 of 2021 in O.P.No. 3579 of 2015 and allow the I.A.No. 1 of 2021.

For Petitioner : M/s.A.Arulmozhi

For Respondent : M/s.S.P.Arthi

ORDER

This petition is filed to set aside the order passed in I.A.No. 1 of 2021 in O.P.No. 3579 of 2015 passed by the learned IV Additional Family Court Judge, Chennai on 27.07.2021.

2. I.A.No. 1 of 2021 was filed by the petitioner with a prayer to permit the petitioner to let in evidence through video conference in O.P.No.3579 of 2015. The said petition came to be dismissed on 27.07.2021 on the ground that the examination could be permitted only if both the parties have consented for examination of witness through video conference. Against the said order of dismissal the present Civil Revision Petition is preferred.

3. When the matter is taken up today, the learned counsel for the petitioner submitted that the petitioner's health has improved and he is coming to India on a short holiday. However, he underwent an operation and he cannot stand for a long time and she prays that the petitioner may be offered a seat at the time of his examination in the Court and the examination may be concluded within the time to be fixed by the learned IV Additional Family Court Judge, Chennai, by posting the matter on a day to day basis.

4. The learned counsel for the respondent has consented for examination of the witness on a day to day basis.

5. It is further submitted by the learned counsel for the petitioner that the petitioner will arrive in India on 04.10.2021 and will be there for next 20 day. In such circumstances, the learned IV Additional Family Court Judge, Chennai is directed to fix the examination of the petitioner from 05.10.2021 and conclude his examination at the earliest possible time, by posting the matter on a day to day basis. Considering the specific request made by the learned counsel for the petitioner that the witness has underwent a surgery and could not stand for a long time, the learned IV Additional Family Court Judge, Chennai is directed to provide seating facility to the petitioner.

6. Accordingly, this Civil Revision Petition is disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

WEB COPY

20.09.2021

Speaking order / Non-speaking order

Index : Yes / No

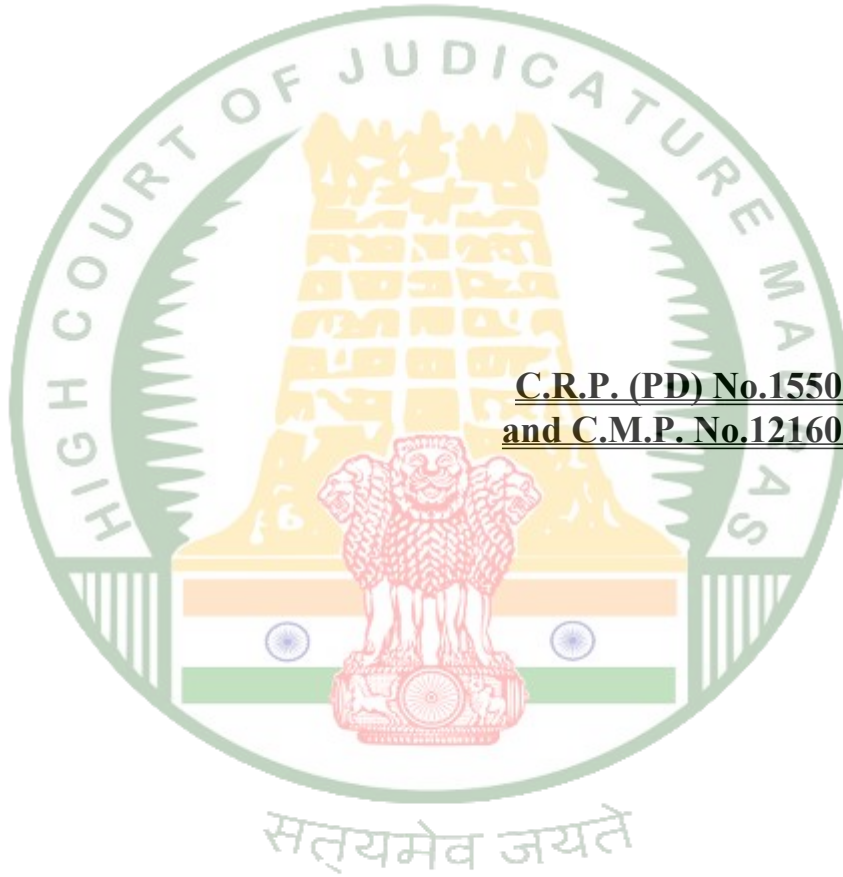
psa/dsa

G.CHANDRASEKHARAN, J.

dsa/psa

To

The IV Additional Family Judge,
Chennai.



C.R.P. (PD) No.1550 of 2021
and C.M.P. No.12160 of 2021

WEB COPY **20.09.2021**