



A.No.122

A.No.1220 of 2023
in O.P.No.423 of 2020

K.KUMARESH BABU,J.

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This Application has been filed seeking to receive additional documents as listed in the Judge's summons.

2.Learned counsel appearing for the respondent would have serious objections and would contend that the said documents are post petition. He would also submit that in spite of the time frame fixed by the Division Bench of this Court for the disposal of the Original Petition, the applicant has been dragging on the issue and had not come forward to tender evidence. Taking into account all these aspects, this Court had earlier permitted the respondent to give evidence. Therefore, he would submit that the application is without any merits. It is only a dilatory tactics on the side of the applicant to prolong the issue and for the custody of the child.

3.Learned counsel appearing on behalf of the applicant, on the other side, would submit that these documents that are sought to be marked is only to substantiate the manner in which the child is being taking care by the applicant. He would also submit that any time frame may be fixed by this Court to complete his side evidence both in proof and cross-examination.

4 By order dated 18.08.2022, this Court had permitted the parties to file



additional documents before the learned Master. Considering the documents that is

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sought to be marked, time frame is fixed for the applicant to present himself before the learned Master for recording of evidence.

5.The applicant shall file his proof affidavit on 24.04.2023 and let in evidence and marking of documents on the same date and will also make him available for cross-examination on the same day. At any cost, the cross-examination shall be completed by 26.04.2023 and the applicant shall co-operate, failing which the evidence on the side of the applicant shall be closed by the learned Master and post the case back to this Court for arguments.

11.04.2023

gba

Note: Issue order copy today.

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