



A.No.1596 of 2025

WEB COPY **IN THE HIGH COURT OF JUDICATURE AT MADRAS**

DATED : 23.04.2025

CORAM :

THE HONOURABLE MR.JUSTICE C.SARAVANAN

Application No.1596 of 2025

in

T.O.S.No.11 of 2017

and

TR.CS.No.87 of 2018

Latha,
W/o.Bhaktavatchalam

... Applicant/Defendant

Vs.

Ramesh @ Pushparaj (now deceased)

1.Valli Ramesh

2.Renuka Parameswari

3.Pavithra

Legal Heirs of deceased R.Ramesh ... Respondents/Plaintiffs 2 to 4

Prayer: Application filed under Order XIV Rule 8 of the Original Side Rules read with Section 151 of the Code of Civil Procedure, 1908, to permit the Applicant / Defendant to examine her husband namely Bhaktavatchalam, to appear and give evidence on behalf of the Applicant / Defendant as the 1st witness for the Defendant in T.O.S.No.11 of 2017 (O.P.No.393 of 2017), pending on the file of this Court.



WEB COPY



A.No.1596 of 2025

For Applicant : Mr.R.Krishnasamy

For Respondents : Mr.N.Jayabalan

ORDER

This application has been filed to permit the Applicant / Defendant to examine her husband namely Bhaktavatchalam, to appear and give evidence on behalf of the Applicant / Defendant as the 1st witness for the Defendant in T.O.S.No.11 of 2017 (O.P.No.393 of 2017).

2. Learned counsel for the Respondents / Plaintiffs 2 to 4 submits that an application for permitting the husband to be examined on behalf of his wife is unnecessary and it is the rights of the parties vested under Section 120 of the Indian Evidence Act, 1872 (Section 126 of the Bharatiya Sakshya Adhiniyam, 2023).

3. Since there appears to be no impediment for allowing the Applicant / Defendant's husband to enter into the witness box on behalf of the Applicant / Defendant, this Application is closed recording the submission made on behalf of the Respondents / Plaintiffs 2 to 4. The Applicant / Defendant's husband namely Bhaktavatchalam is permitted to



A.No.1596 of 2025

WEB COPY

give evidence on behalf of the Applicant / Defendant as the 1st witness in

T.O.S.No.11 of 2017 (O.P.No.393 of 2017).

23.04.2025

(¹/₂)

arb

C.SARAVANAN, J.



WEB COPY



A.No.1596 of 2025

arb

Application No.1596 of 2025

in

T.O.S.No.11 of 2017

and

TR.CS.No.87 of 2018

23.04.2025

(¹/₂)