



C.R.P.No.5370 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.11.2025

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

C.R.P.No.5370 of 2025
and
C.M.P.No.26983 of 2025

Etasha Chordia

... Petitioner

VS.

Tanay Bokaria

... Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to allow the revision by setting aside the order and decretal order dated 25.09.2025 passed in I.A.No.3 of 2025 in H.M.O.P.No.4908 of 2024 on the file of the Principal Family Court, Chennai.

For Petitioner : Mr.S.Indrajith

For Respondent : M/s.V.Pushpa



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ORDER

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The Civil Revision Petition is filed challenging the order passed by the Principal Family Court, Chennai, partly dismissing the application filed by the petitioner/wife seeking reception of certain documents viz., photographs with pen-drive, copy of message communication between the petitioner and respondent and e-mail communications.

2. The respondent/husband filed a petition for divorce on the ground of cruelty in O.P.No.4908 of 2024. The evidence on the side of the petitioner in O.P.No.4908 of 2024/husband was already over and the matter is posted for evidence of respondent in O.P.No.4908 of 2024/wife. At this stage, the instant application has been filed by the revision petitioner seeking to produce certain photographs with pen-drive, copy of message communication between them and e-mail communications. The Court below partly allowed the application and partly dismissed the application in respect of some Photographs, Pen Drive and first 3 sheets of e-mail communications. Aggrieved by the same, the petitioner has come before this Court.

3. The learned counsel appearing for the petitioner would submit that



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under Section 14 of the Family Court Act, 1984, the Court has got ample power to receive the documents and the relevancy of the document need not be gone into at this stage. The learned counsel for the petitioner would further submit that the documents relied on by the petitioner/wife will enable her to prove that even after separation, there was good relationship between the petitioner and respondent and the same will have a material bearing on the divorce petition filed by the respondent/husband.

4. The learned counsel appearing for the respondent would submit that the photographs rejected by the Court below are not at all useful as the image of petitioner/wife is not at all seen in the photographs. He further submits that pen-drive and e-mail communications rejected by the Court below are not relevant to decide the controversy involved in this case.

5. Section 14 of the Family Court Act, 1984, reads as follows:-

“14. Application of Indian Evidence Act, 1872.- A Family Court may receive as evidence any report, statement, documents, information or matter that may, in its opinion, assist it to deal effectually with a dispute, whether or not the same would be otherwise relevant or admissible under the



Indian Evidence Act, 1872 (1 of 1872).”

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6. A perusal of the above section would indicate the Family Court may receive any report, statement, documents and information as evidence, in its opinion, it will assist the court to effectually decide the dispute, notwithstanding the fact, whether the evidence produced is relevant or admissible under the Indian Evidence Act, 1872.

7. According to the petitioner, the photographs, pen-drive containing photographs and the e-mail communications between the parties, which were rejected by the Court below will help the petitioner to prove her case that there was intimate relationship between the petitioner and respondent after separation and the same will have a material bearing on the final outcome of the original petition. We are only in the stage of petition to receive documents. The petitioner/wife has not been examined before the Principal Family Court so far and infact, the matter is posted for her examination.

8. In such circumstances, no prejudice would be caused to the respondent/husband by allowing the application and receiving all the documents filed by the petitioner/wife. If the documents received by the



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Court below under this application are attempted to be marked through the petitioner during her examination, it is always open to the respondent to object to the marking of the same by raising the question of relevancy to the controversy involved in the *Lis*.

9. Even at that stage, the Court can mark the documents subject to the relevancy and decide the relevancy of the documents at the time of final disposal. The said procedure will save the precious time of the Court and the arguments of the parties based on the documents and its relevancy can be decided at the time of final disposal. Therefore, the impugned order passed by the Principal Family Court, Chennai in so far as it is against the petitioner is set aside and I.A.No.3 of 2025 filed by the petitioner under Section 14 of the Family Court Act, 1984 to receive documents stands allowed. The documents produced by the petitioner along with this application may be received subject to proof and relevancy.

10. It is made clear that the main original petition shall be decided by the Principal Family Court, Chennai, without being influenced by anything said in this order.



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WEB COPY 11. With these clarifications, the Civil Revision Petition stands allowed. No costs. Consequently, the connected civil miscellaneous petition is closed.

04.11.2025

Index : Yes / No
Speaking order : Yes / No
Neutral Citation : Yes / No
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To

WEB COM The Principal Family Court,
Chennai.



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S.SOUNTHAR, J.

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