



C.R..P.(PD)(MD).No.543 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

C.R.P(PD)(MD)No.543 of 2025

and

C.M.P(MD) No.2932 of 2025

Shalini

... Petitioner/Petitioner/
Respondent

Vs.

Rajukumar

... Respondent/Respondent
Petitioner

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India, challenging the fair and decreetal order dated 01.10.2024 made in I.A.No.5 of 2024 in H.M.O.P.No.116 of 2022 on the file of the Family Court, Pudukkottai.

For Petitioner : Mr.A.Xavier Antony Samy

For Respondent : Mr.D.Ramesh Kumar

ORDER

The respondent in H.M.O.P.No.116 of 2022 on the file of the Family Court, Pudukkottai, has filed the present Revision Petition challenging the



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order of the Family Court, wherein the request of the petitioner to summon a close relative of the husband has been dismissed.

2. A perusal of the records reveal that the respondent herein has filed the above said H.M.O.P.No.116 of 2022 for the relief of divorce. Pending the said application, the wife had filed I.A.No.5 of 2024 seeking to examine the Aunt of her husband on the ground that she is a close relative and her examination is very vital for the purpose of disposal of the proceedings. The Family Court has proceeded to dismiss the said application on the ground that it may not be appropriate to compel the close relative of her husband, to examine as a witness. Challenging the same, the present Civil Revision Petition has been filed.

3. According to the learned counsel appearing for the revision petitioner, unless the close relative is examined, the reasons for the divorce cannot be made out. However, the learned counsel appearing for the respondent/husband as Caveator submitted that the wife cannot compel the husband to examine his close relative as witness.



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4. This Court is of the considered opinion that the close relative of the husband cannot be compelled by the wife to be examined as a witness on her side. The Family Court has rightly dismissed the said application. This Court does not find any merits in this Civil Revision Petition.

5. Accordingly, this Civil Revision Petition stands dismissed. There shall be no order as to costs. Consequently connected Miscellaneous Petition stands closed.

26.02.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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To

1. The Family Court,
Pudukkottai.
2. The Section Officer,
Vernacular Records,
Madurai Bench of Madras High Court,
Madurai.

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