



WEB COPY

CRP No. 1322 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-04-2026

CORAM

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 1322 of 2025

AND

CMP NO. 7835 OF 2025

S.Ankaiya Naidu
S/o. Swamynathan, Perumal Koil Street,
Narasamangalam Village, Kizhacheri Post,
Tiruvallur Taluk and Dist.

..Petitioner(s)

Vs

E.Veerabadra Achari
S/o. Elumalai Achari No. 32/ADK Naidu
Complex, Nethaji Salai Complex, Sriperumbudur,
Kancheepuram Dist.

..Respondent(s)

CMP No. 7835 of 2025

S.Ankaiya Naidu
S/o. Swamynathan, Perumal Koil Street,
Narasamangalam Village, Kizhacheri Post,
Tiruvallur Taluk and Dist.

..Appellant(s)

Vs

E.Veerabadra Achari
S/o. Elumalai Achari No. 32/ADK Naidu
Complex, Nethaji Salai Complex, Sriperumbudur,
Kancheepuram Dist.

..Respondent(s)

CRP No. 1322 of 2025

To set aside the Fair and Decretal order passed in IA No. 9 of 2024
in OS No. 184 of 2018 dt. 07.11.2024 by the Honble Additional District Munsif
Court, Thiruvallur.

CMP No. 7835 of 2025



To Stay of further proceedings of OS No. 184 of 2018 pending on the file of Honble Additional District Munsif Court, Thiruvallur.

CRP No. 1322 of 2025

For Petitioner(s): MR.R.Balasubramanian

For Respondent(s): Mr.T.Balasubramaniam

Order

This Civil Revision Petition is directed against the interim order dated 07.11.2024 passed by the learned Trial Judge in I.A. No. 9 of 2024 in OS No. 184 of 2018.

2. Before the Trial Court, the defendant had filed an application seeking permission to examine his daughter as a power of attorney holder to adduce evidence on his side. The said application came to be allowed. While allowing the application, the learned Trial Judge has observed that the evidentiary value and credibility of such testimony would be decided at the appropriate stage, upon completion of trial. Aggrieved by the same, the plaintiff has preferred the present revision.

3. The learned counsel for the petitioner would submit that the defendant had falsely represented that his wife was no more, whereas she is alive, and therefore, the reasons assigned for examining the daughter as



a power of attorney holder are not acceptable. It is further contended that the defendant, who is aged above 60 years, cannot circumvent personal examination by authorising his daughter.

4. This Court is not inclined to accept the said submissions. The Trial Court has rightly held that the question of veracity and evidentiary value of the testimony can be tested only at the stage of appreciation of evidence, after completion of trial. In such view of the matter, this Court finds no infirmity or illegality in the order passed by the Trial Court warranting interference under revisional jurisdiction.

Accordingly, the Civil Revision Petition stands **dismissed**. No costs. Consequently, connected miscellaneous petitions is also closed.

29-04-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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To

The Additional District Munsif Court, Thiruvallur.

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T.V.THAMILSELVI J.

JRS

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CMP NO. 7835 OF 2025**

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