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IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 28-10-2026**

CORAM

**THE HON'BLE MR JUSTICE N. ANAND VENKATESH**

**CRP No. 1217 of 2024**

CNR:{HCMA010511822024}

**AND**
**CMP NO. 6361 OF 2024**

M/s.Prasad Corporation Private Limited
No.28, Old No.27, Arunachalam Road, Saligramam,
Chennai-600093

Represented herein by its Authorised Signatory

..Petitioner(s)

Vs

M/s.Raj Television Network Ltd.
No.32, Poes Road, 2nd Street, Teynampet,
Chennai-600018

..Respondent(s)

Civil Revision Petition filed under Article 227 of the constitution of India praying to set aside the order and decree dated 14.12.2023 passed in IA No.4 of 2023 in OS 7203 of 2019 on the file of the learned XV Assistant City Civil Court, Chennai.

For Petitioner(s): Mr.V.S.Rishwanth

For Respondent(s): Mr.C.Ramesh



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**Order**

This Civil Revision Petition has been filed under Article 227 of the Constitution of India challenging the fair and decretal order passed in IA No.4 of 2023 in OS No.7203 of 2019 on the file of XV Assistant City Civil Court, Chennai, wherein the application filed by the petitioner / plaintiff under Order XVIII Rule 17 of CPC, seeking to recall DW1 for further cross examination, came to be dismissed by the Court below.

2. Heard both sides and carefully perused the materials available on record as well as the order passed by the Court below.

3. The petitioner / plaintiff has filed the suit in OS No.7203 of 2019 seeking for the relief of recovery of money. The suit was at the stage of examination of DW1. DW1 was examined in chief on 14.06.2023 and thereafter, DW1 was not cross examined till 17.10.2023. Even after two adjournments, the petitioner did not continue with the cross examination. As a result, the evidence of DW1 was closed. In view of the same, application was filed to recall DW1 for cross examination, which was dismissed by the Court below.

4. In the considered view of this Court, one opportunity can be granted to the petitioner to recall DW1 for cross examination, subject to payment of costs.



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5. In view of the above, this Civil Revision Petition is disposed of in the following terms:-

(a) The order passed by the Court below in IA No.4 of 2023 in OS No.7203 of 2019, is hereby set-aside.

(b) The Court below shall fix a date for the appearance of DW1 and on the appearance of DW1, the petitioner shall pay a sum of Rs.2,000/-[Rupees Two thousand only] towards costs to DW1.

(c) The cross examination of DW1 shall be completed on the same day when DW1 appears and at the best on the next day.

(d) If the petitioner fails to comply with any of the conditions stipulated in clause (b) and (c), the petitioner shall forfeit his right to recall DW1 for cross examination and

(e) The XV Assistant City Civil Court, Chennai is directed to dispose of suit in OS No.7203 of 2019 within a period of three months from the date of receipt of a copy of this order. No costs. Consequently, the connected miscellaneous petition is closed.

**28-10-2026**

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

RKA

To, XV Assistant City Civil Court, Chennai.



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**N.ANAND VENKATESH J.**

**RKA**

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