



WEB COPY

CRP No. 1355 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-03-2026

CORAM

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

CRP Nos. 1355 & 1356 of 2026

&

CMP NOS. 6611, 6613, 6626 of 2026

S.P.Divya Priyadharshini
W/o. S.Praveen kumar,
Plot No.15, 3rd Main Road,
Gokulam Nagar,
Moovarasampet,
Madipakkam,
Chennai-91.

..Petitioner in both CRPs

Vs

S.Praveen Kumar
S/o. Sivakumar,
D.No.1,24/3,
Appadurai Street,
Seethamal Colony,
Teynampet,
Chennai-18.

..Respondent in both CRPs

CRP No. 1355 of 2026: Civil Revision Petition filed under Art.227 of the Constitution of India praying to set aside the Condition Stipulated in the Common Order dated 18.02.2026 passed in IA No.7 of 2026 in OP No. 1955 of 2023 on the file of the Principal Family Court, Chennai .

CRP No. 1356 of 2026: Civil Revision Petition filed under Art.227 of the Constitution of India praying to set aside the Condition Stipulated in the Common Order dated 18.02.2026 passed in IA No.8 of 2026 in OP No. 1955 of 2023 on the file of the Honble Principal Family Court, Chennai



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For Petitioner (s): Mr. A.Arulmozhi

For Respondent(s): Mr. P.Tamilalagan

COMMON ORDER

Challenging the order passed by the trial court in I.A.Nos.7 and 8, the revision petitioner has preferred the present Civil Revision Petition.

2. Learned counsel for the petitioner submits that before the trial court, the respondent/husband has filed divorce petition in O.P.No.1955 of 2023 on the ground of cruelty. Pending O.P., the petitioner/wife filed I.A.Nos.07 and 08 of 2026 to reopen and recall the evidence of PW1 for cross examination. The trial court allowed both the applications on condition that the petitioner shall complete the cross examination of PW1 on 06.03.2026 itself, failing which, the petitions would be dismissed. Aggrieved over the same, the petitioner/wife has preferred the present Civil Revision petitions.

3. Learned counsel for the petitioner/wife further submitted that apart from the OP proceedings, a guardian OP and other connected petitions are also pending before the trial court. That apart, the common proof affidavit filed by PW1 is running for more than 100 pages and besides that, the respondent/husband has marked 18 documents on his side and hence the same



requires a detailed cross examination of PW1 to discredit the respondent's false claims. Therefore, within a single hearing, cross examination of PW1 cannot be completed. Thus he prayed to set aside the time limit fixed by the trial court for cross examining PW1.

4. Learned counsel appearing for the respondent/husband submitted that over about four hearings in the month of July and August 2025, the case was posted for cross examination, but the revision petitioner/wife has not appeared before the trial court, but, on the other hand, the respondent / husband has taken leave from his office and has been attending each and every hearing of the trial Court. He further submitted that the respondent/husband is always ready and willing to cooperate for the proceedings. However, the revision petitioner/wife has not appeared and cooperated for the trial proceedings. Therefore, he prayed for dismissal of these revision petitions.

5. Heard both sides and perused the records.

6. On considering the submissions on the side of the petitioner/wife, it is seen that the petitioner/wife is employed and from April 2023, the petitioner and the respondent got separated and she has been taking care of her child aged about four years and therefore, considerably, she would have been facing difficulties in attending the court proceedings.



7. It is to be noted that the trial court is a fact finding court and fair opportunity should be given to the parties to put forth all their facts and defence. If sufficient opportunity is not given to parties, their valuable rights will be deprived, more particularly, in matrimonial cases.

8. Though the objections raised by the respondent is sustainable one, considering the above aspect and also facts and circumstances revolving around the petitioner/wife, this Court is inclined to consider the submission of the petitioner and grants time to cross examine PW1 and other witnesses.

9. In view of the above, the impugned order passed by the trial court is set aside. The trial court is directed to complete the trial within a period of three months from the date of receipt of a copy of this order.

10. Accordingly, these Civil Revision Petitions are allowed. No costs. Consequently, the connected miscellaneous petitions are closed.

11. It is also brought to the knowledge of the court that as on date, the respondent has not paid any maintenance to respondent/wife and child. Therefore, the trial court is directed to give appropriate orders with regard to the



interim maintenance, particularly with regard to the child.

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

msr

To

The Principal Family Court, Chennai .



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T.V.THAMILSELVI J.

msr

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