



WEB COPY

CRP No. 2176 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-04-2026

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 2176 of 2026

AND

CMP NO. 9497 OF 2026

1. S.Janardhanan
S/o. Late S.V.Sudarsanam, No.7/483,
58th Street, A-Type SIDCO Nagar,
Villivakkam, Chennai-49.

Petitioner(s)

Vs

1. Bhuvaneswari Alias Punitha
D/o. Late G.Manivannan, No.14,
B.M.Vaishnavi Apartment, F-2, Station
Road, Annanur, Chennai-77.

Respondent(s)

CRP No. 2176 of 2026

PRAYER

To set aside the fair and decreetal order dated 30.12.2025 passed by the Learned V Additional Family Court Judge, Chennai in IA No. 4 of 2025 in OP No. 3758 of 2021 and thus render justice.

CRP No. 2176 of 2026

For Petitioner(s): MR.B.Mohan

For Respondent(s):

**ORDER**

WEB COPY This Civil Revision Petition has been filed seeking to set aside the fair and decreetal order dated 30.12.2025 passed by the Learned V Additional Family Court Judge, Chennai in IA No. 4 of 2025 in OP No. 3758 of 2021.

2. The petitioner herein filed IA No. 4 of 2025 in OP No. 3758 of 2021 on the file of the V Additional Family Court Judge, Chennai, under Order XXVI Rule 10(2) & R10 A r/w Order 16 Rule 1(2) CPC r/w Section 10 of Family Court Act, 1984 seeking to issue summons to Medical witness as Court witness and praying to issue summons to the chairperson of the medical Board dated 09.02.2024 under Ref. No. 029296/RMB/RGGGH/2024 of the Rajiv Gand Government General Hospital pertaining to Mrs. Bhuvaneswari @ Punitha to appear alongwith all the files and documents pertaining to the above case to tender evidence on the same as Court witness. Upon hearing submission of the learned counsel for the petitioner, the Trial Court dismissed the application by stating that the petitioner cannot file an application and seek the orders of the Court to examine a person of his choice as Court witness. If he require he can file application to summon any person for examining him as his witness.

3. Aggrieved over the order passed by the Trial Court, the petitioner has filed this Civil Revision Petition.



5. The learned counsel for the petitioner submits that examination of Chairman of Medical Board as a Court witness is vital, just and necessary to arrive at the truth. But the Trial Court without appreciating the above facts erroneously dismissed the application filed by the petitioner. Hence, he prays to allow this Civil Revision Petition.

6. Heard the submission of the learned counsel for the petitioner.

7. The petitioner has filed the application to issue summons to the Chairperson of the Medical Board to appear along with all the file dated 09.02.2024 under Ref. No. 029296/RMB/RGGGH/2024 of the Rajiv Gandhi Government General Hospital pertaining to Mrs. Bhuvaneswari @ Punitha to tender evidence on the same as Court witness. As rightly held by the Trial Court, the petitioner cannot file an application and seek the orders of the Court to examine a person of his choice as Court witness and if he requires, he can file application to summon any person for examining him as his witness as such requires no interference. However, the liberty is granted to the petitioner to file appropriate application in the manner known to law to examine any one of the Doctor of the said Hospital as witness. Accordingly, this Civil Revision Petition is dismissed. No Costs. Pending miscellaneous petition, if any, is closed.

15-04-2026

Pbl
To
The V Additional Family Court Judge, Chennai.



WEB COPY

CRP No. 2176 of 2026



T.V.THAMILSELVI J.
pbl

**CRP No. 2176 of 2026
AND CMP NO. 9497 OF
2026**

15-04-2026