



WEB COPY

CRP No. 1982 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-04-2026

CORAM

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

CRP No. 1982 of 2026 & CRP No. 1984 of 2026

AND

CMP No. 8868 of 2026

1. V.Vasanthi,
W/o. Late E.Thirugnana Sambandam,
Formerly res. at B1903, Mantri Serentiy,
Kanakapura Road,
Doddanakalasandra,
Karnataka 560 062.
Now res. at No.74,
Swami Naicken Street, Chintadripet,
Chennai 600 002.
2. T.Sneha
D/o. Late E.Thirugnana Sambandam,
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..Petitioner(s)



Vs

1. Sheik Abdul Khader
S/o. Moosa,
No.27/10, Nagappan Street,
Pudupet, Chennai 600 002.
2. S.Noorjahan
W/o. Sheik Abdul Khader,
No.27/10, Nagappan Street,
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..Respondent(s)

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CRP No. 1982 of 2026

To set aside the order and decreetal order dated 10.02.2026 in I.A.No.5 of 2025 in O.S.No.6675 of 2024 on the file of the Honble III Additional City Civil Court, Chennai.

CRP No. 1984 of 2026

To set aside the order and decreetal order dated 10.02.2026 in I.A.No.6 of 2025 in O.S.No.6675 of 2024 on the file of the Honble III Additional City Civil Court, Chennai.

CMP No. 8868 of 2026

To grant interim stay of all further proceedings in O.S.No.6675 of 2024 on the file of the Honble III Additional City Civil Court, Chennai pending disposal of the above Revision Petition.

**CRP No. 1982 of 2026**

For Petitioner(s): Mr.K.J.Parthasarathy

WEB COPY For Respondent(s):

COMMON ORDER

These Civil Revision Petitions have been filed to set aside the orders and decretal order dated 10.02.2026 in I.A.Nos.5 and 6 of 2025 in O.S.No.6675 of 2024 on the file of the III Additional City Civil Court, Chennai.

2. The learned counsel for the petitioner would submit that the Trial Court has not given sufficient opportunity to cross examine P.W1 and despite seeking time, without granting time on 05.11.2025, closed the cross examination of P.W.1 and posted the suit for defendant evidence. Despite the aforesaid applications were filed immediately without any delay, to reopen plaintiff side evidence and recall P.W.1, the Trial Court dismissed the same which is contrary to the mandate under Order 18 Rule 17 CPC which enables the Court to recall witness at any stage of the suit and the decision of the Hon'ble Apex Court in 2011 (11) SCC 275.

3. On perusal of the records and submissions made by the learned counsel for the petitioners, it reveals that without giving sufficient opportunity to the petitioners/defendants for further cross examination of P.W.1, the evidence of P.W1 was closed on 05.11.2025. Now, the defendants have come forward to



cross examine P.W.1 to defend the case. However, the Trial Court dismissed the same holding that despite sufficient opportunity was given, the petitioners have not utilized the same. However, the right of cross examination on the side of the defendants/petitioners cannot be rejected since it is vital factors to decide the case on merits. Hence, this Court is inclined to grant one more opportunity to the petitioners to cross examine the P.W.1, thereby the orders dated 10.02.2026 made in I.A. Nos. 5 and 6 of 2025 passed by the Court below stand set aside.

4. It is made clear that the petitioner shall cross examine P.W.1 within a period of one week without asking unnecessary adjournments. Further, the Trial Court is directed to dispose of the case as early as possible and both parties are directed to cooperate with the Trial Court proceedings to complete the same at the earliest.

5. With the aforesaid directions, the Civil Revision Petitions are disposed of. No costs. Consequently, connected miscellaneous petition is closed.

06-04-2026

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

Lbm



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T.V.THAMILSELVI J.

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