



WEB COPY

CRP No. 3551 and 3555 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-02-2026

CORAM

THE HON'BLE MR.JUSTICE S. SOUNTHAR

CRP No. 3551 and 3555 of 2025 and

CMP.Nos.19151 and 19159 of 2025

In both CRP's

Selvi Raghavan

..Petitioner(s)

Vs

R.M.Guru Shankar

..Respondent(s)

Prayer in CRP No. 3551 of 2025:Civil Revision Petition filed under Article 227 of the Constitution of India praying to set aside the order dated 21.06.2025 passed in I.A. No. 3 of 2025 in H.M.O.P. No. 991 of 2018 passed by the Principal Judge, Principal Family Court, Coimbatore.

Prayer in CRP No. 3555 of 2025:Civil Revision Petition filed under Article 227 of the Constitution of India praying to set aside the order dated 21.06.2025 passed in I.A. No. 4 of 2025 in H.M.O.P. No. 991 of 2018 passed by the Principal Judge, Principal Family Court, Coimbatore.

For Petitioner

in both CRP's

For Respondent

in both CRP's

Mr.K.M.D.Muhilan

M/s.T. Elumalai



COMMON ORDER

These civil revision petitions are filed challenging the order passed by the trial court dismissing the application filed by the petitioner seeking to reopen the case and recall PW1 for the purpose of further cross-examination.

2. The respondent/husband filed a petition seeking divorce. The respondent already examined himself as PW1. Thereafter, the petitioner filed an application in IA.No.2 of 2024 seeking issuance of subpoena to the employer of the respondent for the purpose of ascertaining the income. The said application was dismissed by the trial court. Thereafter, the petitioner filed instant application seeking to reopen the case and recall PW1 for the purpose of cross-examining him with regard to the quantum of income. The said application was dismissed by the trial court on the ground that the petitioner attempted to call the employer of the respondent to prove the income and the said petition was dismissed and hence, the instant application filed by the petitioner seeking to recall PW1 without giving good reason is an abuse of process of law.

3. In the affidavit filed in support of the petition, it was stated by the petitioner that certain questions relating to the income of the respondent has not been put to him when he was in witness box. Therefore, the petitioner wants to recall him for the purpose of further cross-examination.

4. The learned counsel for the respondent vehemently contended that the



petitioner has not given the details of the question that is omitted to be put to the respondent. Therefore, based on vague allegations, the petition cannot be considered.

5. If the questions likely to be put to the witness are mentioned in the affidavit filed by the petitioner, it will defeat the purpose of cross-examination. Therefore, while seeking recall of a witness for the purpose of cross-examination, the petitioner cannot give the details of the questions put to him. Therefore, in the interest of justice, this court feels that opportunity shall be given to the petitioner to further cross-examine PW1 with regard to the quantum of income. Taking into consideration the circumstances of the case, this court is inclined to direct the trial court to fix a date for further cross-examination of PW1 within a period of four weeks from the date of receipt of a copy of this order. The petitioner shall complete the cross-examination on a single hearing.

6. With this direction, these civil revision petitions are allowed. Consequently, the connected miscellaneous petitions are closed. No costs.

11-02-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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S.SOUNTCHAR, J.

NR

To

The Principal Judge, Principal Family Court, Coimbatore.

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