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CRP No. 6607 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-01-2026

CORAM

THE HONOURABLE MR.JUSTICE S. SOUNTHAR

**CRP No. 6607 of 2025 and
CMP.No.32744 of 2025**

G.Maheswari

Petitioner

Vs

V. Sudhakar

Respondent(s)

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, praying to set aside the Fair and Decreetal order passed in IA.No.4/2025 in OS.NO. 102/2022 dated 05.08.2025 on the file of the VI Additional Family Court at Chennai.

For Petitioner(s): S.Sankar

For Respondent(s): M/s.N.Elumalai

ORDER

The Civil Revision Petition is filed challenging the order passed by the trial court dismissing the application filed by the petitioner/plaintiff seeking recall of PW-1.

2. The petitioner herein filed a suit against the respondent seeking declaration that the petitioner/plaintiff was a legally wedded wife of the



respondent. The trial in the suit was already commenced and on petitioner side, three witnesses were examined as PW-1 to PW-3. At this stage, the instant application has been filed by the petitioner seeking to recall PW-1 and also to receive additional documents namely complaint given by the petitioner dated 13-08-2024 to the police regarding the threat given by the respondent and also to receive pen drive containing conversation between the petitioner and the respondent. The said application was dismissed by the trial court on the ground of delay. Aggrieved by the same, the petitioner has come before this court.

3. The learned counsel for the petitioner submitted that subsequent to examination of PW-1, the respondent called her through phone and threatened her during the course of conversation. It is also stated that factum of marriage was admitted in the said conversation. Therefore, in order to prove the said fact, the petitioner wants to recall PW-1 and also to receive additional documents like police complaint and the pen drive containing conversation between the petitioner and the respondent.

4. It is seen from the records that the police complaint was preferred by the petitioner as early as 13-08-2024. However, the present application has been filed only on 27-03-2025. It is pertinent to mention that examination of PW-2 was over as early as 22-07-2024. Thereafter, the case was posted repeatedly for examination of witnesses. PW-3 was examined on 21-11-2024. Subsequent to the complaint relied by the petitioner, PW-3 was cross-examined on 06-01-2025. If the petitioner is really interested in producing the documents even



before examination of PW-3, she could have filed an application seeking reception of evidence and recalling of PW-1. However, the petitioner proceeded with examination of PW-3 and the cross-examination of PW-3 was completed on 06-01-2025. Thereafter, the present application has been filed by the petitioner. Therefore, the trial court observed that the main aim of the petitioner appeared to be to drag the proceedings and dismissed the same.

5. Though the petition filed by the petitioner seeking to recall PW1 and to receive additional documents in IA.Nos. 4 and 5 of 2025 were dismissed by the trial court on 05-08-2025, the present revision has been filed only challenging the order passed in IA.No. 4 of 2025. The order passed in IA.No. 5 of 2025 has not been challenged. It shows the intention of the petitioner is to drag on the proceedings as rightly observed by the trial court. Therefore, I do not find any serious error in the order passed by the trial court. Accordingly, the civil revision petition stands dismissed. Consequently, the connected miscellaneous petition is closed. No costs.

05-01-2026

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No
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To
The VI Additional Family Court at Chennai.



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S.SOUNTHAR J.
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