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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-11-2026

CORAM

THE HON'BLE MR.JUSTICE S. SOUNTHAR

CRP No. 6931 of 2026 and
CMP No.29823 of 2026

CNR: {HCMA012550872026}

Case QR

R.Malarkodi, D/o. K.Raman
D.No. 60, Ganga Illam
2nd Cross Street, Mahalakshmi Nagar
Salem 636 008

..Petitioner(s)

Vs

J.Gopinath, S/o. Late T.R.Jaganathan
D.No. 52, 1st Cross Street
Mahalakshmi Nagar, Kannankurichi
Salem 636 008

..Respondent(s)

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India to set aside the fair and decretal order dated 25.05.2026 made in IA No. 6 of 2025 in HMOP No. 249 / 2023 on the file of Family Court, Salem.

For Petitioner(s): Mr. A.E.Ravichandran

ORDER

This Civil Revision Petition has been filed challenging the order passed by the Family Court, allowing the application filed by the respondent/husband seeking to condone the delay in producing certain documents, which were not produced along with main HMOP No.249 of 2023.

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Order QR
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2. The respondent herein/ husband filed HMOP No.249 of 2023 seeking divorce on the ground of cruelty and the petitioner / wife filed counter resisting the same. The petitioner also filed an application in I.A.No.6 of 2025 to condone the delay in producing certain documents, which were not produced along with the main OP. The Family Court, by impugned order has allowed the said application. Aggrieved by the same, the petitioner has come before this court.

3. The learned counsel for the petitioner would submit that the respondent wanted to produce certain WhatsApp messages alleging illicit intimacy against the petitioner. According to him, the respondent filed divorce petition on the ground of cruelty and there was no pleading therein with regard to the alleged illicit relationship. Therefore, according to him, the WhatsApp messages to be produced by the respondents are not relevant to the facts in issue. Hence, he prayed to set aside the impugned order passed by the Family Court.

4. The present application was filed only to condone the delay in producing certain documents. By the impugned order, the delay has been condoned and the respondent has been permitted to produce the documents. However, the said documents are not yet marked. At this stage, the court need not go to the relevancy of the documents sought to be produced by the

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respondent. At the time of enquiry in main OP, if the respondent makes an attempt to mark new documents, it is always open to the petitioner to raise objections with regard to the relevancy of the document and lack of pleadings. The Family Court rightly appreciated the legal position and being satisfied with the reasons assigned by the respondent, condoned the delay. I do not find any error in the impugned order passed by the Family Court.

5. Accordingly, this civil revision petition is dismissed. There shall be no order as to costs. Connected miscellaneous petition is closed. It is made clear that the petitioner is entitled to make objection with regard to the relevancy and lack of pleadings at the time of marking of the documents.

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

MST

To

The Family Court, Salem.

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S.SOUNTHAR, J.

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