

IN THE COURT OF THE DISTRICT MUNSIF, SULUR

Present : Tmt.M.Santhosham., B.Sc., B.L.,

District Munsif, Sulur

Thiruvalluvar year 2056 Visvavasu year, 9th day of Karthigai

Tuesday the 25th day of November 2025

I.A.No.22/2025

in

O.S.No.137/2017

D. Selvaraj

... Petitioner/ 16th Defendant

/VS/

Janaki @ Kannammal

...Respondent/ Plaintiff

This petition coming for final hearing before me in the presence of Mr.M.Gobalakrishnan, Advocate for the Petitioner and, Ms.R.Krishnaveni, Advocate for the Respondent and upon perusing the records, and this court made the following:

ORDER

Petition filed by petitioner under section 151 of CPC to reopen for PW.1 cross examination.

Cost paid. Memo filed and recorded. Petition is allowed.

Pronounced by me in open court this the 25th day of November 2025.

Sd./M.Santhosham

District Munsif,
Sulur.

Draft/Fair Order
I.A.No.22/2025 in
O.S.No.137/2017
Dated : 25.11.2025
DMC, Sular.

The petitioner has entirely failed to demonstrate any sufficient cause or exceptional circumstances that could possibly justify the recall of Plaintiff's witness No.1(PW.1). The petitioner's assertions are wholly unsubstantiated and do not meet the threshold required for this court to exercise its discretion in favour of recalling a witness. It is well settled law that the power to recall a witness is not an absolute right, but is a discretionary relief to be exercised only in exceptional situations where the interest of justice clearly demand it. The purpose of this provision is to prevent injustice, and not to serve as a mechanism for parties to delay proceedings, prolong litigation, or gain tactical advantage. In the present case, there is no new evidence, o oversight, and no genuine inability on the part of the petitioner that could justify recall. On the contrary, the application appears to be a calculated attempt to obstruct the course of justice and cause unnecessary delay, thereby constituting an abuse of the process of this court.