

**IN THE COURT OF THE III ADDITIONAL DISTRICT JUDGE, SALEM.  
PRESENT : Thiru. G.SRI RAMA JEYAM, B.L.,  
III Additional District Judge,  
Salem**

**Wednesday, the 13<sup>th</sup> day of December, 2023**

**I.A.No.1/2023 in G.O.P.No.144/2023**

Sasikala

..... Petitioner/Petitioner

/ Versus /

Panneerselvam

..... Respondent/ Respondent

Thiru. R.Mahilan , Advocate for the Petitioner/ Petitioner

Thiru. M.W.Prince, Advocate for the Respondent/ Respondent

The above Petition is coming on this day for hearing before me and upon hearing the arguments of the Learned Counsel appearing for both sides and upon perusing the available material records and having stood over till day for consideration, this court delivers the following

**ORDER**

Petitioner in G.O.P.No.144/2023 is the Petitioner in the present application, which is filed Under Order 18 Rule 17 CPC, praying this court to recall PW1 for the purpose of adducing further evidence by marking a Document.

2) According to the Petitioner, she was already examined as PW1 and during such time, the Bonafide Certificate that has been now issued by the Principal, Trinity Academy Matric Higher Secondary School, Namakkal was not available and the same has been received only now and the said document is absolutely essential to prove her case and therefore, this Petition may be allowed and she may be permitted to adduce further evidence by marking the said document.

3) The Respondent has filed his Counter and opposes. According to him, the document that is proposed to be marked does not have any relevance to the Case and therefore, the same cannot be permitted.

4) Now, the Point that arises for consideration is that Whether the Petitioner/PW1 could be recalled for the purpose of adducing further evidence by marking the document that is filed along with this Application?

**POINT:-**

5) Heard both sides and perused the records.

6) Admittedly, the Petitioner was already examined as PW1 and her cross examination was also over. It is not in dispute that the Petitioner has now produced a document namely Bonafide Certificate issued by the Principal, Trinity Academy Matric Higher Secondary School, Namakkal dated 10.11.2023, which states that Minor Pavidran has studied in the said School during the academic year 2021-22 & 2022-23.

7) Admittedly, it seems that the above document was dated 10.11.2023 and therefore, in the considered view of this Court, in the interest of justice, the Petitioner could be permitted to adduce further evidence with respect to the above document. If it is permitted, the same would not cause any prejudice to the Respondent.

8) The above Point is answered accordingly.

In result, the above application shall stand allowed. No cost.

Dictated to the Steno Typist, transcribed by her, corrected and pronounced by me in open court, this the 13<sup>th</sup> day of December 2023.

III Additional District Judge,  
Salem.

**APPENDIX:**

Petitioner's Side Witnesses and documents : NIL

Respondent's Side Witnesses and documents : NIL

III Additional District Judge,  
Salem.