

IN THE COURT OF THE PRINCIPAL DISTRICT JUDGE, THENI

Present : Thiru.Swarnam J. Natarajan, M.L.,

Principal District Judge, Theni

Friday, this the 06th day of March - 2026

I.A.No.06/2026 and 07/2026

-In-

O.S.No.238/2021

I.A.No.06/2026 - in – O.S.No238/2021

R. Shanthidevi ... **Petitioner / 2nd defendant**

-Versus-

R. Sangeetha ... **Respondent / Plaintiff**

I.A.No.06/2026 - in – O.S.No238/2021

R. Shanthidevi ... **Petitioner / 2nd defendant**

-Versus-

R. Sangeetha ... **Respondent / Plaintiff**

I.A.Nos.06/2026 and 07/2026, the petitions were coming up on 06.03.2026 for final hearing before me in the presence of Thiru. A. Gunasakthivel, Advocate for the Petitioner / 2nd defendant and notice of hearing was sent to the Respondent / Plaintiff and perusing the documents, the case having stood over for consideration till this day, this Court delivers the following :

COMMON ORDER**I.A.No.06/2026 -in- O.S.No.238/2021**

This is the petition filed by the petitioner / 2nd defendant seeking for re - open of the petitioner side evidence under section 151 of C.P.C.,

I.A.No.06/2026 -in O.S.No.238/2021

This is the petition filed by the petitioner / 2nd defendant seeking for re -call the PW1 under Order 18 Rule 17 C.P.C.,

2. The petitioner is the 2nd defendant in the suit and the above applications are filed to reopen the plaintiff side and to recall P.W.1 for further examination. It is stated in the petition that during the course of trial certain aspects have to be clarified. Hence, the petitioner has filed these applications to reopen the plaintiff side and recall P.W.1 in order to adduce further evidence.

3. The applications were taken notice by the respondent.

4. The petitioner / 2nd defendant had filed an applications to reopen the evidence of the plaintiff and to recall PW1 for cross examination, who had not cross examined the plaintiff witness. On being satisfied with the reasons advanced, this court is inclined to allow this applications on the condition that the petitioner / 2nd defendant shall pay cost of Rs.2,000/- each (totally Rs.4,000/-) in I.A.No.06/2026 and I.A.No.07/2026 to the respondent / plaintiff on or before 11.03.2026. Call on

12.03.2026 for reporting compliance failing which, the petition shall stand dismissed.

In the result, this petition is allowed on the condition that the petitioner / 2nd defendant shall pay cost of Rs.2,000/- each (totally Rs.4,000/-) in I.A.No.06/2026 and I.A.No.07/2026 to the respondent / plaintiff on or before 11.03.2026. Call on 12.03.2026 for reporting compliance failing which, the petition shall stand dismissed.

Dictated to the Steno-Typist, taken by her in shorthand, transcribed and typed by her with the help of voice recorder, and Microsoft 365, corrected and pronounced by me, in the open court, this the 06th day of March – 2026.

**Principal District Judge,
Theni.**

12.03.2026

Cost of Rs.2,000/- each (totally Rs.4,000/-) is paid in I.A.No.06/2026 and I.A.No.07/2026. Hence, this petition is allowed.

**Principal District Judge,
Theni.**

The Principal District Court,
Theni.

I.A.No.06/2026 and 07/2026

-In-

O.S.No.238/2021

Fair / Draft **COMMON ORDER**

Date: 06.03.2026