

**IN THE COURT OF THE II ADDITIONAL DISTRICT & SESSIONS JUDGE,
THANJAVUR.**

**Present :Thiru.V.S.Kumaresan, L.L.M.,
II Additional District & Sessions Judge,
Thanjavur.**

Wednesday the 11th day of June 2025
(Thiruvalluvar Aandu 2055- Vaikasi Matham 28th day)

I.A. No.2/2025 in Case No.142/2021

Niranjan

.....Petitioner/2nd Defendant

/Vs/

1) Priya Karuni

.....Respondent/Plaintiff

2) Girija

4) Krishnaraj

4) Swetha

.....Respondents/1,3,4 Defendants

This petition having come up for final hearing before me on **09.06.2025** in the presence of **Tmt.R.Kannagi**, Advocate for the Petitioner/2nd Defendant and of **Thiru.T.Gangaiselvan**, Advocate for the respondent/Plaintiff and upon perusal of records pertaining to the case and the matter having stood over for consideration till this date, this court delivered the following

ORDER

Heard bothside. This is an application to reopen the evidence of plaintiff to facilitate recall of PW1 for further cross examination.

2) It is the case of the petitioner that the plaintiff has undervalued the suit and suppressed the fact that she was out of possession of suit property and has paid lesser court fee and though in order to elucidate those aspect, PW1 has to be recalled for further cross examination and to facilitate the

same. Plaintiff evidence has to be reopened and thus proceed to allow this petition.

3) The Respondent opposed this petition stating that she has correctly valued the suit property and has paid correct Court Fee and she has been in possession and enjoyment of the properties as a title holder and this point has been raised by the petitioner and same was rejected by this court and again the petitioner filed this petition only to harass this respondent and thus prayed to dismiss this petition.

4) Rival contentions considered. Records perused. The petition sought to reopen plaintiff's evidence in order to recall PW1 for further cross on the aspect of valuation and possession of suit properties. It was not agitated by the respondent that PW1 was already cross examined on those aspects. Therefore, considering the facts and circumstances and in the interest of justice and fair play this court is inclined to allow this petition by imposing costs.

5) In the fine, this petition is allowed on petitioner paying a sum of Rs.500/- to the respondent on or before 18.06.2025, failing which this petition shall stand dismissed. For reporting compliance call on 19.06.2025.

Pronounced by me in the open court, this the **11th day of June 2025.**

**II Additional District & Sessions Judge,
Thanjavur.**