

IN THE COURT OF PRINCIPAL DISTRICT JUDGE AT TIRUVALLUR
PRESENT: Dr.. J. JULIET PUSHPA, Ph.D.(Law)
Principal District Judge, Tiruvallur

Thursday, the 12th day of March, 2026

I.A.3/2026 IN IDOP.391/2022
(CNR No. TNTR010057502023)

K. Harikaran

....Petitioner/Petitioner

Versus

C. Emelda,

.....Respondent/ petitioner

This Petition coming on 07.03.2026 for final hearing in the presence of M/s R. Gokulraj, , learned counsel for the petitioners, and M/s C. Emelda, learned counsel for the respondent and upon hearing the arguments of both side and upon perusing the material case records and having stood over for consideration till this date, this Court delivered the following:-

ORDER

This petition filed by the Petitioner under Order VII Rule 14(3) of Civil Procedure code praying to receive the following documents to be marked on the side of the petitioner

S.No.	Particulars	Nature
1.	For 6.5 sovereign jewel-Bank transaction and photographs	Photo copy
2.	Bills and bank trans paid for hospital during child delivery	Photo copy
3.	Bills and bank transfer for washing machine and fridge purchase	Photo copy
4.	Bills of child's new dresses, toys and food paid by petitioner	Photo copy
5.	Petitioner helping respondent's parents by paying house rent (bank transaction)	Photo copy
6.	Hospital pregnancy checkup payment (bank transactions)	Photo copy
7.	Facebook respondent accepting for Hindu temple visit or customs before marriage	Photo copy

8.	Facebook – respondent concurrence for Hindu name	Photo copy
9.	Facebook – respondent’s false social media status (respondent is Celcoholic)	Photo copy
10.	Respondent’s fake social media IDs	Photo copy
11.	Mail from respondent : confession to change her name before marriage	Photo copy
12.	Respondent’s sex chat with her male friend	Photo copy
13.	Petitioner’s reunion letter – SMS and online acknowledgement of India Post	Photo copy
14.	Reunion discussion – voice recordings	Photo copy
15.	SMS – respondents concurrence for Hindu name	Photo copy
16.	SMS respondents threatens for suicide and divorce	Photo copy
17.	SMS respondents’ threatens for suicide divorce	Photo copy
18.	SMS – respondent visiting in contact with her male friends after marriage	Photo copy
19.	SMS – respondents cruelty on the petitioner	Photo copy
20.	SMS – respondents cruelty on his parents	Photo copy
21.	SMS – reunion effort from his side and her abortion threatening confession	Photo copy
22.	<i>Whatsapp</i> chat her confession on cheating the petitioner in the name of friendship and love	Photo copy
23.	<i>Whatsapp</i> chat – respondent’s concurrence for Hindu name before marriage	Photo copy
24.	<i>Whatsapp</i> chat – respondent is cell-coholic	Photo copy
25.	<i>Whatsapp</i> chat – respondent keep on asking petitioner to go for abroad job	Photo copy
26.	<i>Whatsapp</i> chat – respondent’s cruelty on his parents	Photo copy
27.	<i>Whatsapp</i> chat – respondent	Photo copy
28.	<i>Whatsapp</i> chat – reunion efforts from petitioner side.	Photo copy

2. **Brief averments of the Petitioner is as follows :-**

According to the petitioner, the main Original petition was filed by the petitioner seeking dissolution of marriage between the petitioner and the respondent. At the time of filing the original petition, the above said documents could not be traced immediately. The documents sought to be received are vital documents to establish his case. Hence prayed to receive the documents.

3. **The averments in the counter filed by the respondent in brief :**

The respondent resisted the petition contending that all the documents are pertaining to online documents which were in possession even prior to filing of

the IDOP. This petition is filed only to protract the proceedings. Even during the 1st visitation rights, the petitioner harmed the minor child and he bleed. The document No.9 shows the bill for gold to Rs.2 lakhs, whereas the bank transaction shows only Rs.50,000/- As far as the Document No.10 is concert, the bill and transaction is Rs.5000/- , were present, which relate solely to the infant, the actual hospital bill for the delivery, exclusive medicines., amounted to Rs.60,000/- and was discharged by her father. Document No.11 relating to household articles is false and misleading. Even washing machine was purchased by her father, he gave Rs.17000/- as hand cash. Document No.12 is fabricated and exaggerated. Document No.15, 16, 17 and 24 are filed by petitioner and that there is no existing evidence to suggest that she agreed to change of her name or religion. The chat records indicate complete transparency in the relationship with no concealment between the parties. Document No.18, 19, 20, 21, 26 and 25 are social media and email communication which are used from word file which are editable. No certified electronic evidence as required under law has been produced by the petitioner. Hence, the said documents are inadmissible. Document No.22 alleging receipt of certain communication as false. Document No.24 and 25 are mere conversation, conducted under pressure and persistent insistence of the petitioner. The petitioner never gave consent or acceptance of adopting a Hindu name. Document No.26 filed by the petitioner is in question between the petitioner and respondent regarding a mutual friend and has no connection whatsoever with visiting or contacting any male friend. Hence, the said is required strict proof. Document No.29, 31 and 32 are selective chat extracts filed by the petitioner to

portray that he was an argumentative person. On the contrary, this Court has to specifically note that chats demonstrate was abusive short tempered and frequently used foul language. This petition is filed only to prolong the proceedings and devoid of merits as the mandatory requirements for admissibility of electronic evidence is not complied with by the petitioner, hence prayed to dismiss the petition.

5. No oral or documentary evidence adduced on both side.

6. Now, the points for consideration in this petition are:

1) **Whether the petitioner is entitled to the relief as prayed for ?**

2) **Whether this petition is to be allowed?**

7. **POINTS 1 AND 2 :-**

Heard both side.

This petition is filed by the petitioner, who is the respondents in the Guardianship original petition seeking permission to receive 28 documents, which are photo copies of bills , and contents of social media and conversation between the petitioner and respondent through SMS and *whatsapp*.

8. On perusal of records and points put forth by both side counsels, it is learnt that the petitioner has filed the original petition seeking dissolution of marriage solemnized with the respondent on 30.10.2019 on the ground of cruelty. At the time of filing the original petitioner has not filed the documents detailed in the petition. In the main original petition, counter was filed by the respondent and now posted for enquiry. While so, the petitioner has come forward with this

petition to receive the additional documents .

7. The case of the petitioners is that respondent has always picked up quarrel with the petitioner and through social media she has having illicit intimacy with another person. However, at the time of filing of the original petition, he could not get the copy of the same, hence, the same could not be filed.

8. The respondent has resisted the petition stating that the documents of electronic evidence requires certificate under relevant provision of Evidence Act and the photo copies produce without proper certification are inadmissible.

9. On perusal of records and points put forth by both counsels, it is found that the petitioner filed the main Original petition as against the respondent seeking divorce. As far as the documents filed by the petitioner is concerned, they are photo copies of the Bills towards purchase of articles, medical bills and also conversation of petitioner and respondent through social media.

10. Admittedly, the trial is not yet commenced. The petitioner has sought for only receiving the documents. Even though the respondent has disputed the genuineness of the documents sought to be received, by receiving the documents, no prejudice would be caused to the respondent, as the trial not commence and also since mere filing of the document does not amount to its proof and relevancy. Moreover, even if this petition is allowed so as to mark the documents which is subject to admissibility, proof and relevancy, the proceedings cannot go beyond more than one or two hearings. The respondent will have ample opportunity to cross examine the petitioner with respect to either veracity of contents and also genuineness and admissibility of the documents sought to be received. Therefore,

it does not appear to cause more delay for expeditious trial and disposal.

11. Therefore, considering the nature of the documents, which the petitioners sought to be received, no prejudice would be caused to the respondent by receiving these document, as the respondent will have ample opportunity to object the proof and relevancy of these documents sought to be received in order to give the petitioners an opportunity to prove their case, this Court is inclined to allow this petition.

In the result, this petition is allowed, subject to proof, admissibility and relevancy of the documents sought to be received. No costs.

Dictated by me to the Steno-Typist, taken down, transcribed and typed by him, corrected and pronounced by me in the open Court on this the 12th day of March, 2026.

**PRINCIPAL DISTRICT JUDGE,
TIRUVALLUR**

Petitioner & Respondent side
Witnesses and exhibits : NIL

**PRINCIPAL DISTRICT JUDGE,
TIRUVALLUR**