

IN THE COURT OF DISTRICT MUNSIF, TIRUTTANI
Present : Tmt. R.D. Gurulakshmi, M.A., M.L., PGDI & CL
District Munsif, Tiruttani

Dated this Tuesday, 10th day of February 2026.
IA No.10/2026 in O.S.No.67/2017

1. Moorthy (Died)
2. Premavathy
3. Periyasamy

...Petitioners/Defendants

/ Vs/

1. Suresh Kumar
2. Alexandar

... Respondents / Plaintiffs

This Petition is coming on 10.02.2026 for final hearing before me in the presence of Mr. A. Venugopal, Mr. D. Nagaraj, Counsels for Petitioners/Defendants, 1st petitioner died. Mr. G. Kamalakannan, Counsel for Respondents /Plaintiffs. Upon perusing the entire case records and having stood over for consideration till this day this court delivered the following:

ORDER

This Petition filed U/O 18 Rule 17 CPC seeking permission to recall of PW2 for cross examination.

Enquiry both side heard. Records perused. Petitioners filed petition to recall the PW2 for the Cross examination. Petitioners side submitted that inorder to prove his case the cross exmination PW2 is necessary. Hence he prays to allow this petition. Counsel for Respondents submitted as the petitioners have no merits in the case and the petition was highly belated one. Hence counsel for respondents prays to dismiss this petition.

Records perused. Petition filed by the Petitioner seeking permission to recall the PW2 in order to cross examine. This case is pending in the stage of defendant side evidence. On 31.10.2025 PW2 examined in chief and this case is pending from 31.10.2025 to 05.12.2025 for cross of PW2. Since Defendants not ready for cross, PW2 cross closed on 05.12.2025. No valuable reasons stated in the petition for not examining the witness in time. Considering the

fact and circumstances to prevent the multiplicity of proceedings, to provide the petitioners an opportunity to prove their case and for proper adjudication of the case, this petition has to be allowed on costs.

In the result, this petition is allowed on condition that the petitioner has to pay a cost of Rs.500/- to respondents on or before 18.02.2026 failing which this petition stands dismissed. Call on 18.02.2026.

Dictated by me and typed by the typist, corrected and pronounced by me in open court on this the 10th day of February 2026.

District Munsif,
Tiruttani.

Both side witnesses and exhibits - NIL

District Munsif,
Tiruttani.