



WEB COPY



C.R.P.No.4708 of 2025 and C.M.P.No.23795 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.10.2025

CORAM:

THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

C.R.P.No.4708 of 2025

and

C.M.P.No.23795 of 2025

1. Mrs.K.Malleeswari and 2 others

... Petitioners

Versus

Mrs.Dhanalakshmi

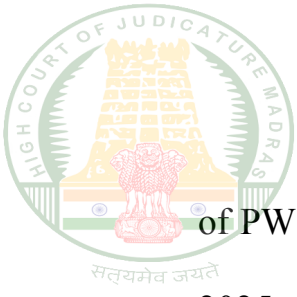
... Respondent

For Petitioners : Mr.K.Manimaran

ORDER

Unsuccessful plaintiffs have preferred the present civil revision petition.

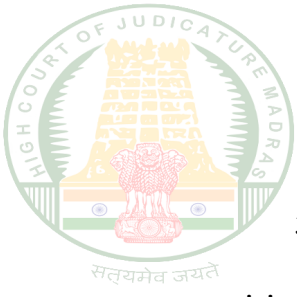
2. The plaintiffs filed a suit in O.S.No.47 of 2020 for permanent injunction. The defendant has filed written statement, necessary issues were framed and thereafter, trial commenced. One behalf of the plaintiffs, first plaintiff examined as PW1 and the case is now posted for cross-examination



C.R.P.No.4708 of 2025 and C.M.P.No.23795 of 2025

of PW1. At this stage, the defendant has filed an application in I.A.No.10 of 2025 under Section 120 of Indian Evidence Act, 1872 read with Section 151 of the Code of Civil Procedure, 1908 praying to permit her husband K.Surender to adduce on the side of the defendant. Upon hearing either side, the Court below vide order dated 13.08.2025 allowed the petition. Aggrieved over the said order, the plaintiffs have preferred the present Civil Revision Petition.

3. The learned counsel appearing for the revision petitioners would submit that the respondent/defendant already filed an application in I.A.No.9 of 2025 under Order III Rule 2 of the Code of Civil Procedure, 1908 to permit the defendant's husband to depose on her behalf and the said application was dismissed by the Court below on 29.04.2025 but the defendant has not chosen to challenge the said order. It is the grievance of the revision petitioners/plaintiffs that now the defendant has filed another application in I.A.No.10 of 2025 with the very same prayer and the Court below without taking into consideration the earlier order, allowed the present petition filed by the defendant and hence, the same requires interference by this Court.



C.R.P.No.4708 of 2025 and C.M.P.No.23795 of 2025

5. Upon hearing the submissions of the learned counsel for the revision petitioners/plaintiffs and satisfied with the reasons stated in the affidavit, this Court is of the view that a *prima facie* case has been made out by the revision petitioners/plaintiffs for the grant of interim stay. Hence, there shall be an order of interim stay till 31.10.2025.

6. Notice to the respondent returnable by 31.10.2025. Private notice is also permitted.

07.10.2025

Index : Yes/No
Speaking order : Yes/No
Neutral Case Citation : Yes/No
gpa

To

The Additional District Munsif
Tiruvallur



WEB COPY



C.R.P.No.4708 of 2025 and C.M.P.No.23795 of 2025

M. JOTHIRAMAN, J.

gpa

C.R.P.No.4708 of 2025
and
C.M.P.No.23795 of 2025

07.10.2025