

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.07.2021

Coram

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

C.R.P. (PD) No. 1248 of 2021

And

C.M.P.Nos. 9731 & 9733 of 2021

1. Muniyandi @ Santhosh
 2. Saraswathi
 3. Selvam
 4. Sathya @ Sathiyavani
 5. Kandan @ Kanthasamy
- ... Petitioners/Respondents

-Vs-

Mrs. Vimaladevi ... Respondent/Complainant

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India against the Domestic Violence Complaint filed in D.V.C.No. 11 of 2020 on the file of the learned Judicial Magistrate No.1, Tiruppur.

For Petitioners : Mr. E.Manimaran

For Respondent : No appearance

ORDER

The petitioners herein are respondents in D.V.C.No.11 of 2020 now pending on the file of the Judicial Magistrate No.1, Tiruppur.

2. It is stated that the first petitioner and the respondent herein had entered into a marital relationship on 12.12.2018. It is claimed by the first petitioner that the respondent had already been married. However, it is seen that the marriage with the first petitioner had been consummated and the respondent herein was also in the family way when she left to her parents' house. It is stated that she has also filed M.C.No. 48 of 2019.

3. The learned counsel for the petitioners stated that the petitioners herein are not necessary parties and they have been unlawfully impleaded as respondents in D.V.C.No.11 of 2020.

4. Full liberty is given to the petitioners herein to raise all requisite facts before the learned Judicial Magistrate No.1, Tiruppur and I am confident that when such facts are presented, the learned Magistrate will appreciate them in their proper light and pass appropriate orders.

5. It is the Court of the first instance before whom necessary facts will have to be raised and the scope of the Revision Petition of this Court is narrow.

6. With the above said observation, this Civil Revision Petition is dismissed with a direction to the petitioners herein to go back to the learned Judicial Magistrate No.1, Tiruppur and advance whatever facts they want to plea before the said Magistrate. Consequently, connected Miscellaneous Petitions are closed.

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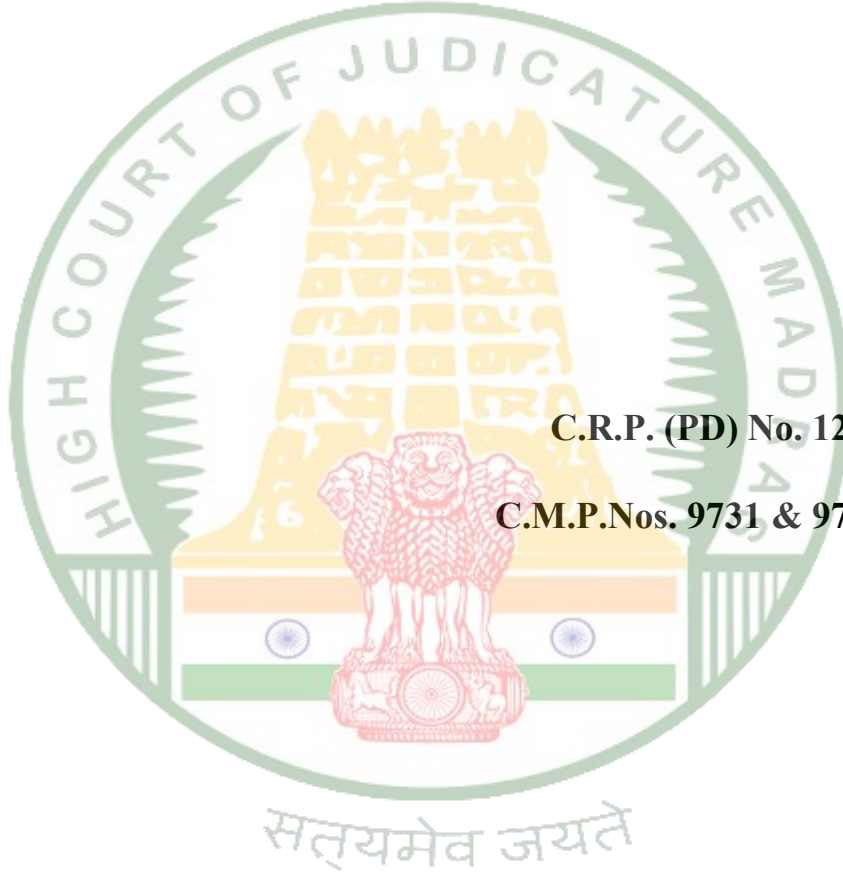
Index: Yes/No

Internet: Yes/No.

Speaking / Non speaking

C.V.KARTHIKEYAN, J.

vsg



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