



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 21.11.2023

CORAM

THE HON'BLE MRS JUSTICE T.V.THAMILSELVI

C.R.P.No.2608 of 2023

and

C.M.P.No.16092 of 2023

1.R.Rajasekar
2.Mrs.Petchiammal
3.Thangasamy
4.Rajendran
5.Mrs.R.Bakiya Lakshmi
6.Mrs.B.Rajeswari
7.Mrs.Uma Chithra

...Petitioners

Vs.

Mrs.P.Vinothini

...Respondent.

Prayer:Civil Revision Petition filed under Article 227 of the Constitution of India to strike off the DVC Case in DVC No.13 of 2023 on the file of the Additional Mahila Court at Chengalpattu against the Petitioners.

For Petitioners : M.Venkadesh Kumar

For Respondent : Ms.P.Vinothini

ORDER

This Civil Revision Petition is filed to strike off the DVC Case in DVC No.13 of 2023 on the file of the Additional Mahila Court at Chengalpattu against the Petitioners.



2.Learned Counsel for the Civil Revision Petitioner challenging the impugned order in DVC No.7 of 2020. The husband and the in-laws are before this court. The reasons assigned by the Petitioner is that she already initiated the proceedings in DVC No.7 of 2020 for the same allegations. Thereafter, the said petition was dismissed for default on 15.02.2021. Again for the same allegations, she filed the DVC and the same was dismissed for default on 15.02.2022. Again for the same allegation, second time the present DVC No.13 of 2020 was filed by her which is a clear case of abuse of process of law, hence they wanted to quash the proceedings, the respondents appeared in person submits that on earlier occasions, she filed DVC No.07 of 2020 but the same was dismissed during the COVID-19 period on 08.02.2021 for default, therefore, subsequently she filed the present petition, the absence on the date was neither wanton nor intentional.

3.Considering both sides and perusing the material on records, reveals that the DVC No.07 of 2020 was dismissed on 18.12.2021 for default. Admittedly, it is a lock-down period. Therefore, now she filed a present application reaching lot of allegations against the husband and in-laws. Admittedly liberty is given to the Revision Petitioner to file appropriate



application before the Deviation Court and open their remedy by filing appropriate application and all the in-laws are aged about 50 to 58 years and their appearance is dispensed with and to appear before the lower court as and when required.

4.The Respondent is directed to co-operate with the proceedings and the Learned Trial Judge is directed to complete the proceedings within a period of six (6) months from the date of receipt of copy of this order.

5. This Civil Revision Petition stands disposed with the above said discussions and directions. No costs. Connected Miscellaneous Petition is closed.

21.11.2023

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

nst

To:

The Additional Mahila Judge,
Chengalpattu.



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T.V.THAMILSELVI .J.,

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