



C.R.P.No.155 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.01.2023

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

C.R.P.No.155 of 2023

and

C.M.P.No.1313 of 2023

1.Mr.N.Arun Kumar

2.Mrs.Latha Natarajan
Petitioners

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Vs

1.Mrs.R.Prithi Silviya

2.Mr.P.Suresh Kumar

3.Mrs.Thangam Palanisamy

4.Mrs.Hemachithra

5.Mr.Suresh Kumar

6.Ms.Rani

...

Respondents



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Prayer: This Civil Revision Petition is filed under Article 227 of the Constitution of India to call for the records in D.V.A. No.183 of 2022 on the file of the Special Court for Trial of Domestic Violence Act Cases, Coimbatore and strike off the same by allowing the above Civil Revision Petition.

For Petitioner : Mr.C.Gopinath

ORDER

The Civil Revision petition is filed to quash the domestic violence case instituted in D.V.A. No.183 of 2022, against the revision petitioners.

2. The marriage between the first petitioner and the first respondent was solemnised as per the Hindu rites and customs and on account of certain misunderstandings, both are living separately as of now. Regarding domestic violence, the first respondent instituted a complaint under the D.V. Act which is pending on the file of the Special Court at Coimbatore.



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3. The learned counsel for the petitioner states that the allegations set out in the plaint are false and frivolous. The second petitioner is the mother-in-law of the first respondent, who is an aged lady and therefore, she must be exonerated from the DVC proceedings.

4. A perusal of the plaint, filed by the first respondent/wife, would reveal that several allegations are raised against the revision petitioners. The allegations raised are serious in nature, warranting an inquiry under the provisions of the Act and this Court cannot quash the proceedings merely based on the statements made by way of an affidavit filed in the present Civil Revision Petition. All such allegations are to be adjudicated by conducting an elaborate inquiry with reference to the documents and evidence and mere statement that the allegations are false deserves no merit consideration by this Court.

5. Thus, this Court does not find any merit in respect of the Civil Revision Petition filed by the petitioners and the petitioners are bound to



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participate in the proceedings in order to establish their innocence or otherwise. Accordingly, the Civil Revision Petition stands **dismissed**.

However, there shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

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Speaking Order

Internet : Yes

Index: Yes



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S.M.SUBRAMANIAM, J.

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Copy to:

Special Court for Trial of Domestic Violence Act Cases,
Coimbatore

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