



C.M.P.(MD) No.8868 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

Tuesday, the Twenty Fifth day of July Two Thousand and Twenty Three

PRESENT

The Hon`ble Mrs.Justice K. GOVINDARAJAN THILAKAVADI

C.M.P.(MD) No.8868 of 2023

in

C.R.P.(MD) No.1780 of 2023

1 MOHAMED ARAFATH

2 PERIYARAJA

3 NARKISH BANU

... PETITIONERS/PETITIONERS

Vs

1 ALLAM SAHANA,

2 MINOR.AIZA ZEHRA

REPRESENTED BY ITS NATURAL

GUARDIAN ALLAM SAHANA,

... RESPONDENTS/RESPONDENTS

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to dispense with the appearance of the petitioners in complaint in D.V.C.No.12 of 2021 before the file of Additional Mahila Court, Dindigul pending disposal of the civil revision petition.



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Prayer in CRP(MD). 1780/ 2023 :

Civil Revision Petition filed under Article 227 of the Constitution of India to strike off the complaint in D.V.C.No.12 of 2021 on the file of Additional Mahila Court, Dindigul and consequently allow the present civil revision petition in respect of the petitioners herein.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S. R. MATHIYALAGAN, Advocate for the petitioner, the court made the following order:-

The petitioners are the respondents in D.V.C.No.12 of 2021 on the file of the Additional Mahila Court, Dindigul. The above Civil Miscellaneous Petition has been filed to dispense with the appearance of the petitioners in the proceedings in D.V.C.No.12 of 2021 stating that the first petitioner and his father the second petitioner herein are doing business at Chennai and his mother the third petitioner herein is suffering from age old diseases.

2. It is submitted that on the above reasons, it is very difficult for the petitioners to appear each and every hearing before the Trial Court and therefore their appearance before the Trial Court may be dispensed with.

3. Considering the facts and circumstances of the case and the age of the second and third petitioners, the personal appearance of the second and third petitioners before the Trial Court for regular hearings is dispensed with. However,



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the second and third petitioners are directed to appear before the Trial Court if their appearance is required by the Trial Court. The first petitioner is directed to appear before the Trail Court on the hearing dates.

sd/-
25/07/2023

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/08/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

JEN
TO

THE ADDITIONAL MAHILA JUDGE
DINDIGUL

ORDER
IN
C.M.P.(MD) No.8868 of 2023
in
C.R.P.(MD) No.1780 of 2023
Date :25/07/2023

PKP/MMS/SAR- /02.08.2023/ 3P/2C

Madurai Bench of Madras High Court is issuing certified
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