



C.M.P.(MD) No.15893 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Wednesday, the Twenty Second day of November Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice BATTU DEVANAND

C.M.P.(MD) No.15893 of 2023
in
C.R.P.(PD)(MD) No.3080 of 2023

1 KADER BATCHA

2 ZUNEITHA BEGUM

... PETITIONERS/PETITIONERS

Vs

1 FIROSE BANU

2 MINOR AHAMED AAYAN

... RESPONDENTS/RESPONDENTS

(REPRESENTED THROUGH HIS MOTHER AND
GUARDIAN THE FIRST RESPONDENT)

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to pass an order of dispensing with the personal appearance of the petioners in the petition under Domestic Violence Act in D.V.No.36 of 2023 on the file of the Judicial Magistrate, Additional Mahila Court, Madurai pending dispoal of the CRP and thus render justice.

Prayer in CRP(MD). 3080/ 2023 :

Civil Revision Petition filed under Article 227 of the Constitution of India to call for records relating to the petition under Domestic Violence Act in D.V.No.36 of 2023 on the file of the Judicial Magistrate, Additional Mahila Court, Madurai and strike off



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the same so far as the petitioners / respondents are concerned and pass such other or further orders as this Honourable Court may deem fit and proper in the facts and circumstances of the case and thus render justice.

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 MR.J.BARATHAN, Advocate for the petitioner , the court made the following order:-

Heard learned counsel for the petitioners and perused the material available on record.

2. Learned counsel for the petitioners submits that the petitioners are senior citizens aged about 81 years and 71 years respectively. The 1st petitioner is suffering with serious health problems. Under these circumstances, the personal appearance of the petitioners at every date of hearing before the learned Judicial Magistrate would cause very much inconvenience to them at this age and sought to dispense with their personal appearance for the hearing in the interest of justice.

3. Having regard to the facts and circumstances of the case, this Court is accepting the contention of the learned counsel for the petitioners, considering the age of the petitioners and their health condition.



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4. Accordingly, the personal appearance of the petitioners in D.V.No.36 of 2023 on the file of the Judicial Magistrate, Additional Mahila Court, Madurai, is dispensed with until further orders.

sd/-
22/11/2023

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22/11/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

ABR

TO

THE JUDICIAL MAGISTRATE, ADDITIONAL MAHILA COURT, MADURAI.

ORDER
IN
CMP(MD) No.15893 of 2023
IN
CRP(MD) No.3080 of 2023
Date :22/11/2023

RK (22/11/2023) 3P / 2C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023