



C.R.P.(PD).No.1052 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.04.2024

CORAM

THE HON'BLE MR.JUSTICE V. LAKSHMINARAYANAN

C.R.P.(PD).No.1052 of 2022

and

C.M.P.No.5395 of 2022

Saraswathi

... Petitioner

Vs

1.P.R.Janani

2.V.Chandrasekaran

... Respondents

Prayer : Revision filed under Section 227 of the Code of Civil Procedure praying to set aside the proceedings made in D.V.C.No.63 of 2021 on the file of the Judicial Magistrate, Additional Mahila Court, Salem.

For Petitioner : Mr.N.Chinnaraj

For Respondents : Mr.S.Bala Ganesh

ORDER

The petitioner is the 2nd respondent in D.V.C.No.63 of 2021. She is the mother-in-law of the 1st respondent. The 2nd respondent is her son and the husband of the 1st respondent.

2. The petitioner wants to quash the proceeding in D.V.C.No.63 of



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2021 on the ground that she is a permanent resident of Sellampalayam, whereas the wife and husband have set up their matrimonial home at Punjaipuliampatti.

3. Learned counsel for the petitioner would argue that at no point of time, the petitioner interfered with the life and happiness of the respondents. She would state that there are no allegations against her in the complaint and hence the DVC proceedings against her has to be quashed. Going through paragraphs 6, 9 and 10 of the complaint would show that there are allegations, which, if taken at their face value, would amount to causing mental cruelty and stress to the 1st respondent.

4. It is not for me to decide whether the allegations are true or false. Taking them at face value, the DVC petition has set out necessary allegations against the civil revision petitioner. Therefore, I am not inclined to quash the proceedings.

5. However, taking into consideration the age of the civil revision petitioner, who is about 60 years old, I am inclined to dispense the appearance of the civil revision petitioner in DVC.No.63 of 2021 pending



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on the file of the Judicial Magistrate-cum-Additional Mahila Court at Salem. For all the non-essential hearings, the civil revision petitioner will be represented by a counsel. For essential hearings, she shall appear in person.

6 . With the above directions, the Civil Revision Petition stands dismissed. No costs. Consequently, connected miscellaneous petition is also dismissed.

17.04.2024

Index : Yes/No

Speaking Order : Yes/No

Neutral Citation : Yes/No

Sgl

To

The Judicial Magistrate-cum-
Additional Mahila Court,
Salem.



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V. LAKSHMINARAYANAN, J.

Sgl

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