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C.R.PPD.No.1614 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.04.2024

CORAM:

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

C.R.PPD.No.1614 of 2024
and
C.M.P.Nos.8616 and 8617 of 2024

1.S.Ulaganathan
2.U.Somasundaram
3.S.Rojamani
4.S.Kurinjimalar

... Petitioners

Vs.

1.B.Maha Meenakatchi
2.U.Somasundara Bharathi

... Respondents

PRAYER: Revision filed under Article 227 of the Constitution of India
praying to strike off the D.V.C.No.28 of 2023 on the file of the Judicial
Magistrate No.1 at Tiruppur.

For Petitioners : Mr.K.Myilsamy

ORDER

This revision seeks to strike off D.V.C.No.28 of 2023 on the file of
the Judicial Magistrate Court No.1 at Tiruppur.



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2. The petitioners before this Court are the father-in-law, brother-in-law and sisters of the 2nd respondent. The 2nd respondent Somasundara Bharathi is the husband of the 1st respondent Maha Meenakatchi. The 1st respondent alleges that she had faced domestic violence in the hands of the petitioners and the 2nd respondent and therefore she presented D.V.C.No.28 of 2023.

3. Mr.K.Myilsamy for the petitioners would submit that the 1st petitioner is aged about 81 years and the other petitioners are either residents of Sivaganga or Kancheepuram and they have nothing to do with the D.V.C. set up at Tiruppur. He would state that at all points of time, the 1st and 2nd respondents were residing together, and therefore the in-laws have been roped in the case unnecessarily.

4. A careful perusal of the complaint, which has been included from page nos.18 to 32 of the typed set, would show that the allegations also have been made against the petitioners 1 to 4. Therefore, the fact that they were not residing in Tiruppur does not persuade them to quash the proceeding at this stage. Whether the petitioners indulged in domestic



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violence or whether they are innocent of the said charge can be gone into only at the time of trial. Hence, I am not inclined to quash D.V.C.No.28 of 2023. However, I am able to notice some force in the argument of Mr.K.Myilsamy that most of the petitioners are either geriatric or senior citizens. Apart from that, to make them travel from Sivaganga and Kancheepuram to Tiruppur would add to their agony that they are already facing. Hence, their presence is dispensed with for all the hearings other than the essential hearings. For the other non-essential hearings, they will be represented by a counsel.

5. With the above directions, the Civil Revision Petition is dismissed. No costs. Consequently, connected miscellaneous petitions are also dismissed.

12.04.2024

Index : Yes / No

Neutral Citation : Yes / No

Sgl

To

The Judicial Magistrate No.1,
Tiruppur.



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V.LAKSHMINARAYANAN, J.

Sgl

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