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C.R.P. No. 1806 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.10.2024

CORAM

THE HONOURABLE MR. JUSTICE V.LAKSHMINARAYANAN

C.R.P. No. 1806 of 2024
and
C.M.P. Nos. 9521 and 9523 of 2024

1. K.Thara

2. Priyadarshini

... Petitioners / 2nd and 3rd Respondents

Vs.

1. Subashree

... 1st Respondent / Petitioner

2. Jawahar

... 2nd Respondent / 1st Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, to call for the records pertaining to D.V.C. No. 7 of 2024 pending on the file of the learned Judicial Magistrate, Thiruthuraipoondi and to quash the same as illegal.

For Petitioners	:	Ms. G.Umamaheswari
For R1	:	Mr.A.M.Esakkiappan
For R2	:	Mr.S.Sri Ram



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ORDER

This civil revision petition seeks to quash the Domestic Violence Complaint in D.V.C. No. 7 of 2024 on the file of the learned Judicial Magistrate at Thiruthuraipoondi.

2. A Full Bench of this Court in *Arul Daniel and others -vs- Suganya, (2022 [6] CTC 833)* had given the option to a party to move the Magistrate Court to strike off their name from the array of parties if they have been unnecessarily impleaded in the proceedings. In the light of clear and categorical verdict of the Full Bench, this civil revision petition is dismissed, granting liberty to the petitioner to approach the jurisdictional Magistrate to file an application to strike off.

3. Ms. G.Umamaheswari pleads that the petitioners are the residents of Chennai and find it very difficult to travel to Thiruthuraipoondi to attend the hearing. A look at the complaint shows that the 1st petitioner is the mother-in-law and the 2nd petitioner is the sister-in-law of the 1st respondent.



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4. Taking into consideration the age and relationship of the respective petitioners, their appearance before the learned Judicial Magistrate at Thiruthuraipoondi is dispensed with. They shall, however, be present whenever their appearance is essential or when so directed by the learned Judicial Magistrate at Thiruthuraipoondi.

5. With the above observations, the civil revision petition is dismissed.
No costs. Consequently, the connected miscellaneous petitions are closed.

01.10.2024

Index : Yes / No
Speaking order : Yes / No
NCC : Yes / No
pal

To

The Judicial Magistrate, Thiruthuraipoondi.



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V.LAKSHMINARAYANAN, J.,

pal

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