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C.R.P.(PD)No.2655 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.07.2024

CORAM

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

C.R.P.(PD)No.2655 of 2024

and

C.M.P.Nos.13945 & 13947 of 2024

1.V.Sukumaran

2.V.S.Rani

3.S.Shantanu

4.S.Devi Priya

.. Petitioners

Vs.

T.P.Simi Smrithiga

.. Respondent

Prayer : The Civil Revision Petition is filed under Article 227 of Constitution of India, to quash the complaint in D.V.A.No.50 of 2024, dated 27.02.2024, on the file of the Special Court for Trial of Domestic Violence Act Cases, Coimbatore.

For Petitioners : Mr.S.Srivatsa
for Mr.S.V.Pravin Rathinam



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ORDER

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The present Civil Revision Petition has been presented to quash the proceeding in D.V.C.No.50 of 2024, dated 27.02.2024, on the file of the Special Court for Trial of Domestic Violence Cases at Coimbatore.

2. The defacto complainant is the respondent before me. She has made allegations that the civil revision petitioners had prevented her to have conjugal bliss along with her husband, and made demand of dowry from her parents and in addition, had also sought the properties which are vested with her parents to be settled in the name of their son-in-law.

3. Mr.S.Srivatsa, for Mr.S.V.Pravin Rathinam, would vehemently contend that none of the allegations contained in the Domestic Incident Report are true. He would state that each of the members of the family are living in the separate flat, and also, the allegation of demand of dowry never took place.

4. The Supreme Court in the case of *Inderjit Singh Grewal vs. State of Punjab and Another [(2011) 12 SCC 588]* has held that at the time of



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quashing of the Domestic Violence Complaint, the Court has to take the complaint on its face value and still, if the case is not made out, only then the power under Article 227 of the Constitution of India should be exercised to quash the complaint.

5. A reading of the complaint shows that there are allegations against the civil revision petitioners. Therefore, I am not in a position to come to the rescue of the petitioners. Since there are specific allegations as against the petitioners, I am constrained to dismiss the revision petition.

6. However, taking into consideration the fact that the 1st and the 2nd petitioners are the father-in-law and mother-in-law and the fact that they are senior citizens, and also the fact that the 3rd and 4th petitioners are the brother-in-law and his wife, I am inclined to dispense with their appearance for all regular and procedural hearings, unless and until their presence is essential. On all other hearings, they shall be represented through a counsel, and for the proceedings where their presence is essential, they shall appear in-person.



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WEB COPY 7. Accordingly, the Civil Revision Petition stands dismissed. No costs. The connected Civil Miscellaneous Petitions are closed.

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Index:Yes/No

Speaking Order :Yes/No

Neutral Citation:Yes/No



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V. LAKSHMINARAYANAN, J.

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To

The learned Special Judge for Trial of Domestic Violence Act Cases,
Coimbatore

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and
C.M.P.Nos.13945 & 13947 of 2024

19.07.2024