



C.R.P.(PD).No. 3369 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 20.08.2024

CORAM

THE HONOURABLE Mr. JUSTICE V.LAKSHMINARAYANAN

C.R.P.(PD).No. 3369 of 2024

&

C.M.P.No. 18098 of 2024

1.Navaneethakrishnan

2.N.M.Raviraj

3.Tmt.R.Malathi

4.Tmt.L.Dhivya

...Petitioners

Vs.

Tmt.Saranya

...Respondents

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India against the proceedings in D.V.C.No.17 of 2022 on the file of the learned Judicial Magistrate, Madhukarai, Coimbatore District.



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C.R.P.(PD).No. 3369 of 2022

For Petitioner : Mr. R.Rajan.

ORDER

This Civil Revision Petition seeks to quash the proceedings initiated by the sole respondent in D.V.C.No.17 of 2022 on the file of the Judicial Magistrate Court, Madhukarai, Coimbatore.

2. Heard Mr. R.Rajan, for the civil revision petitioners.

3. There is no dispute in the relationship between the parties. The 1st petitioner, Navaneethakrishnan is the husband of the sole respondent, Saranya. They got married on 06.02.2022. Subsequently, they had fallen apart and the parties are before this Court. She had initiated D.V.C.No.17 of 2022. This petition seeks to quash the said proceeding.



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C.R.P.(PD).No. 3369 of 2027

4. The principle relating to quashing of the Domestic violence Case have been settled by the Supreme Court in ***Inderjit Singh Grewal Vs. State of Punjab and others – 2012 Crl L. J. 309***, where the learned Judges held that a Court must go through the averments made in the complaint and if the complaint contains allegations against the parties, attracting Section 3 of the Protection of Women from Domestic Violence Act, 2001, then it should not be the subject matter of quash and the Court must direct the parties for Trial.

5. A reading of the complaint discloses that there are necessary averments to attract Section 3 of the Protection of Women from Domestic Violence Act. Therefore, I am not inclined to quash the proceedings. However, taking into consideration the age and the relationship of the petitioners 2 to 4, I am inclined to dispense with their appearance before the learned Judicial Magistrate, Madhukarai. They shall be represented by a counsel on all hearings. They shall appear before the Court, when their presence is indispensable or if so



C.R.P.(PD).No. 3369 of 2024

directed by the learned Judge.

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6. At this stage, Mr. R.Rajan would submit that there is a possibility of settlement. Therefore, he requested that the matter may be referred to mediation. Mediation Centres are available in Coimbatore as well. I am not inclined to direct the respondent to travel from Coimbatore to Chennai, for the purpose of mediation. Hence, the learned Judicial Magistrate, Madhukarai is requested to find out, if there is any possibility of settlement by mediation. If such situation exists, he may refer the parties to District Mediation Centre, Coimbatore.

7. In the result, the Civil Revision Petition is dismissed. Consequently, the connected miscellaneous petition is closed. No costs.

20.08.2024

Index : Yes/No
Internet : Yes/No
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C.R.P.(PD).No. 3369 of 2027

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To

The Judicial Magistrate,
Madhukarai,
Coimbatore District.



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C.R.P.(PD).No. 3369 of 2024

V.LAKSHMINARAYANAN, J.

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C.R.P.(PD).No. 3369 of 2024

20.08.2024