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C.R.P.No.5132 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.12.2024

CORAM

THE HONOURABLE MR.JUSTICE **V. LAKSHMINARAYANAN**

C.R.P.No.5132 of 2024
and
C.M.P.Nos.28770 & 28771 of 2024

1.Ahmed Meeran
2.Fathimuthu Raihana

.. Petitioners

VS

1.Shameema Fathima
2.A.Ajmuldeen

.. Respondents

Petition filed under Article 227 of the Constitution of India to call for the records pertaining to D.V.C.No.48 of 2024 pending on the file of the learned XV Metropolitan Magistrate, George Town, Chennai and strike off the names of the petitioners on the ground of abuse of process of law.

For Petitioners : Mr.K.Ezhumalai



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ORDER

This civil revision petition seeks to quash the proceedings in D.V.C. No.48 of 2024 on the file of the XV Metropolitan Magistrate, George Town at Chennai.

2. The civil revision petitioners are the father-in-law and mother-in-law of the first respondent. The first respondent married the second respondent on 27.06.2021. From the wedlock, a child was born to the couple on 12.05.2022. Alleging that she had suffered both mental as well as physical abuse at the hands of the petitioners and the second respondent, the first respondent has initiated D.V.C. No.48 of 2024.

3. Stating that the averments in the complaint are tissues of falsehood and also relying upon the submissions made by the first respondent's father on 16.01.2024, the present civil revision petition has come up before me.

4. I heard Mr.K.Ezhumalai for the civil revision petitioners. Mr.Ezhumalai reiterated the contentions that have been taken by



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him in the grounds of revision.

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5. Whether paragraph 10 of the complaint is true or false is not for this Court to analyse in exercise of its revisional jurisdiction under Article 227 of the Constitution of India. In highly improbable cases, perhaps, this Court retains the jurisdiction to interfere. This is not one such case. Clear and categorical statements against the second respondent - husband and the petitioners have been made by the first respondent in her complaint to the Protection Officer under the Protection of Women from Domestic Violence Act, 2005 on 03.06.2024. Hence, I am not inclined to entertain this revision. This civil revision petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

6. It is open to the civil revision petitioners to demonstrate before the learned XV Metropolitan Magistrate that the petition lodged against them is false and they have been unfairly impleaded in the proceedings.

7. I notice from the averments that the civil revision petitioners are residents of Vallanadu, Srivaikumdam Taluk, Thoothukudi District. Considering their age, relationship and place of



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residences, I am inclined to dispense with their appearance before the XV Metropolitan Magistrate, George Town, Chennai. They shall however be represented by counsel on all hearing dates. In case, the petition they file to strike off their names from the array of parties is not successful, they shall present themselves before the Court, as and when, directed by the learned Magistrate or when their presence is indispensable.

21.12.2024

Index:Yes/No
Neutral Citation:Yes/No
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To

The XV Metropolitan Magistrate,
George Town, Chennai.



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V. LAKSHMINARAYANAN,J.

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