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C.R.P.(MD)No.1563 of 2024

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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 28.08.2024**

**CORAM**

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

**C.R.P.(MD).No.1563 of 2024 and**  
**C.M.P.(MD)No.9218 of 2024**

1. Balu
2. Muthumari
3. Arunmoorthi
4. Prasath

... Petitioners/  
Respondents 2 to 5

**Vs.**

1. Rajalakshmi ... 1<sup>st</sup> Respondent / Complainant
2. Vignesh ... 2<sup>nd</sup> Respondent / 1<sup>st</sup> Respondent

**PRAYER :** Civil Revision Petition filed under Article 227 of the Constitution of India, to strike off the petition in D.V.C.No.1 of 2024 on the file of the Judicial Magistrate, Rajapalayam, Virudhunagar District.

( Prayer is amended vide order dated 09.08.2024 made in C.M.P.(MD) No.10737 of 2024.)

|                 |                     |
|-----------------|---------------------|
| For Petitioners | : Ms.D.Saranya      |
| For R-1         | : Mr.D.Rajaboopathy |
| For R-2         | : No appearance.    |

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**ORDER**

Heard the learned counsel appearing for the petitioners and the learned counsel appearing for the first respondent.

2. This civil revision petition has been filed against the proceedings in DVC No.1 of 2024 on the file of the learned Judicial Magistrate, Rajapalayam. The petition has been filed under the various provisions of the Protection of Women from Domestic Violence Act, 2005. The learned counsel for the petitioners draws my attention to the decision of the Hon'ble Full Bench rendered on 17.11.2022 in Crl OP Sr Nos.31852 of 2022 etc batch.

3. Adopting the approach indicated by the Hon'ble Full Bench, I dispose of this civil revision petition in the following manner :

(i) If the petitioners are having any grievance that they have been unnecessarily added as parties to the proceedings, it is open to them to file an application before the concerned court to delete their names and if any such application is filed, the concerned court shall decide the



same, as per the decision of the Hon'ble Supreme Court in Kunapareddy v. Kunapareddy Swarna Kumari, reported in (2016) 11 SCC 774.

(ii) If the petitioners are represented through a counsel, the concerned court shall not insist on the personal appearance of the petitioners. However, the petitioners shall appear before the Court as and when their presence is required by the Court.

(iii) The concerned court is directed to dispose of D.V.C No.1 of 2024 as expeditiously as possible preferably within a period of five months from the date of receipt of a copy of this order.”

4. Accordingly, this civil revision petition is disposed of. No costs.

Consequently, connected miscellaneous petition is closed.

**28.08.2024**

Index : yes/No  
Internet: Yes/No  
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C.R.P.(MD)No.1563 of 2024

**G.R.SWAMINATHAN,J.**

PMU

To

The Judicial Magistrate,  
Rajapalayam, Virudhunagar District.

C.R.P.(MD)No.1563 of 2024

28.08.2024