



C.R.P.(MD)No.1921 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 19.08.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P.(MD)No.1921 of 2024

and

C.M.P.(MD)Nos.10912 & 10913 of 2024

Deivendran

... Petitioner / Respondent

Vs.

Nachammal @ Abirami

... Respondent / Petitioner

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, to strike off the complaint in DVC Case No.4 of 2023 on the file of the learned District Munsif cum Judicial Magistrate, Ponnamaravathi, Pudukkottai District and allow the Civil Revision Petition.

For Petitioner : Mr.B.Jameelarasu

ORDER

Heard the learned counsel appearing for the petitioner.



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2.This civil revision petition has been filed against the proceedings in D.V.C.No.4 of 2023 on the file of the learned District Munsif Court cum Judicial Magistrate, Ponnamaravathi, Pudukkottai District. The petition has been filed under various provisions of the Protection of Women from Domestic Violence Act, 2005. The learned counsel for the petitioner 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 petitioner is having any grievance that he has 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 petitioner is represented through a counsel, the concerned court shall not insist on the personal appearance of the petitioner. However, the petitioner shall appear before the Court as and when his presence is required by the Court.



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(iii) The concerned court is directed to dispose of D.V.C.No.4 of 2023 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 petitions are closed.

19.08.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To:

The District Munsif cum Judicial Magistrate,
Ponnamaravathi, Pudukkottai District.



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G.R.SWAMINATHAN, J.

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