



C.R.P.(MD)No.1712 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 04.10.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P.(MD)No.1712 of 2023

and

C.M.P.(MD)No.8559 & 8548 of 2023

1.Kaja Ambalam @ Kajamuhaitheen Ambalam

2.Habeed Muhammed

3.Ayishabeevi

4.Valantheena Kuraishi

... Petitioners / Respondents 2 to 5

Vs.

1.H.Samsathbanu

... 1st Respondent / Petitioner

2.Haithar Ali

... 2nd Respondent / 1st Respondent

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, to strike off the records relating to the proceedings under the Domestic Violence Act, petition in D.V.O.P.No.5 of 2022 on the file of the learned Judicial Magistrate Court, Paramakudi.

For Petitioners : Mr.Lakshmi Gopinathan

For Respondent : Mr.D.Senthil
for R1

: no appearance for R2



C.R.P.(MD)No.1712 of 2023

ORDER

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Heard the learned counsel appearing for the petitioners.

2.This civil revision petition has been filed against the proceedings in D.V.O.P.No.5 of 2022 on the file of the learned Judicial Magistrate Court, Paramakudi. The petition has been filed under 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 CrI 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



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C.R.P.(MD)No.1712 of 2023

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.O.P.No.5 of 2022 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.

04.10.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
rmi

To:

The Judicial Magistrate Court, Paramakudi.



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C.R.P.(MD)No.1712 of 2023

G.R.SWAMINATHAN, J.

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C.R.P.(MD)No.1712 of 2023

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