



C.R.P(MD)No.1949 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 22.08.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P(MD)No.1949 of 2024
and
C.M.P(MD)Nos.11098 & 11099 of 2024

M.Rajammal

... Petitioner /
2nd Respondent

Vs.

1.K.Sugitha

... Respondent /
Petitioner

2.Sakthivel

3.V.Shanmugakani

4.K.Priyadharshini

... Respondents /
Respondents 1, 3, 4

Prayer : Civil Revision Petition filed under Article 227 of the Constitution of India, to call for the entire records pertaining to the proceedings in D.V.C.No.34 of 2024 pending on the file of the learned Judicial Magistrate No.I, Thoothukudi and strike off the same insofar as the petitioner is concerned.



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For Petitioner : Mr.R.Anand

ORDER

Heard the learned counsel for the revision petitioner.

2.This civil revision petition has been filed against the proceedings in D.V.C.No.34 of 2024 on the file of the learned Judicial Magistrate No.I, Thoothukudi. 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 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 petitioner is having any grievance that she has been unnecessarily added as parties to the proceedings, it is open to the petitioner to file an application before the concerned court to delete her name 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



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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 her presence is required by the Court.

(iii) The concerned Court is directed to dispose of D.V.C.No.34 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. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

22.08.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
MGA

To

The Judicial Magistrate No.I,
Thoothukudi.



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G.R.SWAMINATHAN, J.

MGA

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