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C.R.P.(MD)No.2415 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.10.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P.(MD).No.2415 of 2024 and
C.M.P.(MD)No.13593 of 2024

Dineshkumar

... Petitioner/ Respondent No.1

Vs.

1. Dharani

2. Minor Luck Sithsaran

(Minor 2nd Respondent is represented through his guardian / mother 1st respondent)

3. Madhesan

4. Subitha

5. Harishkumar

... Respondents 3 to 5 /Respondents 2 to 4

PRAYER : Civil Revision Petition filed under Article 227 of the Constitution of India, to strike off all further proceedings of the case in DVC No.14 of 2024 by the Additional Mahila Court, Ramanathapuram.

For Petitioner : Mr.S.Karthikeyan

**ORDER**

Heard the learned counsel appearing for the petitioner.

2.This civil revision petition has been filed against the proceedings in DVC No.14 of 2024 on the file of the Additional Mahila Court, Ramanathapuram. 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 he has been unnecessarily added as party to the proceedings, it is open to him to file an application before the concerned court to delete his 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 ***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.

(iii) The concerned court is directed to dispose of D.V.C No.14 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.

01.10.2024

Index : yes/No
Internet: Yes/No
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C.R.P.(MD)No.2415 of 2024

G.R.SWAMINATHAN,J.

PMU

To

The Additional Mahila Judge,
Ramanathapuram.

C.R.P.(MD).No.2415 of 2024

01.10.2024