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CRP No.457 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-10-2025

CORAM

THE HONOURABLE MR.JUSTICE S. SOUNTHAR

CRP No. 457 of 2024 and

CMP No.2181 of 2024

1. RAJIVGANDHI, S/o. Elyaperumal,

2. Elayaperumal, S/O. Duraisamy,

3. CHINNAPAPPA

W/O. Elayaperumal,

petitioners 1 to 3 Res. at Keelmathur

Village, Andiyur Post, Uthangarai

Taluk, Krishnagiri District.

Petitioner(s)

Vs

1. VANNIYAKODI

W/o. Rajivgandhi, D/o. Annadurai,

Chinnapalaythottam Village,

Palathotam Post, Pachampalli Taluk,

Krishnagiri Dt.

Respondent(s)

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India To strike off the Domestic Violence Complaint filed in DVC No.5 of 2020 pending on the file of Learned District Munsif Cum Judicial Magistrate, Pochampalli, Krishnagiri District, by allowing the present civil revision petition.



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For Petitioner(s): Mr. R.Sathish Kumar

For Respondent(s): No appearance

ORDER

This Civil Revision Petition is filed seeking to strike of the complaint preferred by the respondents under the provision of the Domestic Violence Act.

2. The first petitioner is the husband and the petitioners 2 and 3 are the parents in-laws of the respondent. It is seen from the records that the respondent filed a complaint against the petitioners under the domestic violence Act in DVC No.5 of 2020 on the file of District Munsif cum Judicial Magistrate. After receipt of notice, the petitioners filed this civil revision petition seeking to strike of the said complaint, mainly on the ground that the averments made in the above complaint are not sufficient to take cognizance by the Magistrate regarding the incident of Domestic Violence Act.

3. In view of the Law settled by this Court in ***Arul Daniel and Others Versus Suganya reported in (2022) SCC Online Mad 5435***, if the petitioners are aggrieved by the initiation of the proceedings under the Domestic Violence Act, it is for them to move the very same Magistrate, raising preliminary issues like absence of share hold, domestic violence, etc. Hence, this court is not inclined to exercise its Supervisory Power available under Article 227 of



Constitution of India to strike off the complaint.

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4. Accordingly, this civil revision petition is dismissed. There shall be no order as to costs. Connected miscellaneous petition is closed. The petitioners are at liberty to move the concerned Magistrate for getting appropriate remedy as per the law laid down in *Arun Daniel case*.

5. Taking into consideration the proceedings initiated before learned Magistrate is predominantly civil in nature, the personal appearance of the petitioners during enquiry before Magistrate is dispensed with, unless their personal appearance is absolutely necessary.

30-10-2025

Internet: yes

Index: Yes/No

Neutral citation: Yes/No

MST

To

The District Munsif cum Judicial Magistrate,
Pochampalli, Krishnagiri District.



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S.SOUNTHAR J.

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