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CRP No.905 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.12.2025

CORAM

THE HONOURABLE MR.JUSTICE S. SOUNTHAR

**CRP No.905 of 2024 and
CMP No.4493 of 2024**

1. Enayathulla
2. Dhinsha Begam
3. Mohamed Faizal

... Petitioners

Vs.

Devi @ Sahana

... Respondent

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India to set aside the order dated 07.12.2023 passed in CrI.M.P.No.1307/2023 in DVC.No.30/2018 by the learned Judicial Magistrate No.1, Mayiladuthurai.

For Petitioners: Mr.R.Sagadevan

For Respondent: Served – No appearance

ORDER

This Civil Revision Petition is filed, challenging the order passed by the learned Magistrate, dismissing the application in CrI.M.P.No.1307 of 2023 filed by the petitioners seeking deletion of their name from the array of parties in the complaint in DVC No.30/2018 preferred by the respondent under the provisions of the Domestic Violence Act.



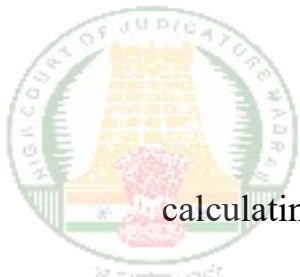
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2. As per the law laid down by the Full Bench of this Court in ***Arul Daniel and Others Versus Suganya reported in (2022) SCC Online Mad 5435***, as against the impugned order passed by the Magistrate, the petitioners have got remedy to file an appeal before the jurisdictional Sessions Judge, under Section 29 of the DVC Act. Therefore, in view of the availability of the alternative remedy to the petitioners, this court is not inclined to exercise its supervisory jurisdiction, as per the law laid down by the Hon'ble Apex Court in the case of ***Virudhunagar Nadargal Dharma Paripalana Shabha Vs Tuticorin Educational Society reported in MANU/SC/1365/2019***.

3. Accordingly, this civil revision petition is dismissed with liberty to the petitioners to approach the jurisdictional Sessions Judge seeking appropriate remedy. There shall be no order as to costs. Connected miscellaneous petition is closed.

4. The petitioners are entitled to exclude the period taken by them to prosecute this civil revision petition before this court i.e. from 29.01.2024 to the date of receipt of copy of the order of this civil revision petition, while



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calculating limitation, for the purpose of filing an appeal under Section 29 of DVC Act. Registry is directed to return the original impugned order to the learned counsel for the petitioner.

11.12.2025

MST/shl

To

The Judicial Magistrate No.1,
Mayiladuthurai.



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S.SOUNTHAR, J.

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