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C.R.P.No.1524 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.10.2025

CORAM

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

C.R.P.No.1524 of 2023

and

C.M.P.Nos.10041 and 10043 of 2023

1.Muthu Pandi

2.A.Veerapathiran

3.V.Arunasundari

4.V. Velu

... Petitioners

Vs.

M. Prema

... Respondent

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India praying to allow this revision and strike off the Complaint in D.V.C.No.7 of 2023 on the file of the learned District Munsif -cum- Judicial Magistrate, Karimangalam, Dharmapuri.

For Petitioners : Mr. G. Kavin Selvakumar
for Mr.M. Jaisingh

For Respondent : Mr.S.Deenathayalan
for Mr.S.Sasikumar



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ORDER

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The Civil Revision Petition has been filed praying to allow this revision by striking off the Complaint in D.V.C.No.7 of 2023 on the file of 'the District Munsif -cum- Judicial Magistrate Court, Karimangalam, Dharmapuri' (hereinafter referred as the 'Trial Court').

2.The revision petitioners herein are the respondent Nos.1 to 4 in the D.V.C.No.7 of 2023 before the Trial Court. The first revision petitioner is the husband of the respondent and the second respondent is his father. The revision petitioners 3 and 4 are his sister and brother respectively. The marriage between the first revision petitioner and the respondent was solemnized on June 17, 2018. Out of the marriage, one male child was born to them. The respondent herein filed DVOP No.11 of 2022 (Now D.V.C.No.7 of 2023) before the Trial Court against the revision petitioners seeking protection under Section 12, Residence and Return of article under Section 19, Maintenance under Section 20 and Compensation under Section 22 of the Protection of Women from Domestic Violence Act, 2005. The said DVOP was filed on September 14, 2022.

3.Mr.G. Kavin Selvakumar, representing Mr.M. Jaisingh, learned counsel



on record for the revision petitioners would submit that the revision petitioners 2 to 4 herein are the father, sister and brother of the 1st revision petitioner. He would further submit that there is some matrimonial dispute between the 1st revision petitioner and the respondent, and the revision petitioners 2 and 4 are no way connected to the domestic violence complaint. With ulterior motive, the respondent has laid a false complaint against the 1st revision petitioner and his family members, viz., revision petitioners 2 to 4. Further, he submits that the revision petitioners have not committed any domestic violence against the respondent as described in the petition. Hence, he seeks the relief as prayed for.

4.*Per contra*, the learned counsel appearing for the respondent would submit that the revision petitioners have committed domestic violence against the respondent. Hence, the complaint in D.V.C.No.7 of 2023 shall not be struck off. Accordingly, he prays to dismiss the Civil Revision Petition.

5.This Court has considered the facts and circumstances of the case, heard the submissions made on either side, and perused the petition in D.V.C.No.7 of 2023. It is seen that the 1st revision petitioner is the husband of the respondent and the revision petitioner 2 to 4 are father, sister and brother of the 1st revision petitioner. In view of the domestic relations, the respondent has initiated the



DVC.No.7 of 2023 against her husband/1st revision petitioner and his family members. As of now, the said DVC.No.7 of 2023 is at the stage of trial which is pending since 2023 before the Trial Court, 'Trial is essential to dig out the truth and ascertain the truth about the allegations raised by the respondent. If really, the revision petitioners are innocent, they can very well prove their innocence in the trial. They have not made out a case for quash. Hence, this Court is not inclined to strike off the same.

6.However, this Court is of the view that the presence of the revision petitioners 2 to 4 is not necessary unless the Trial Court specifically directs them to appear. Hence, this Court directs the learned District Munsif -cum- Judicial Magistrate, Karimanagalam, Dharmapuri, not to insist on the presence of the revision petitioners 2 to 4 except when their presence is deemed necessary for progress of the proceedings.

7.Considering the age of Domestic Violence Complaint, the Trial Court is hereby directed to dispose of the case in DVC.No.7 of 2023, expeditiously.

8.With the aforesaid observations, the Civil Revision Petition is dismissed.



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In the facts and circumstances of the case, there shall be no order as to costs.

Consequently, connected Civil Miscellaneous Petitions are closed.

24.10.2025

Index :Yes/No
Speaking order :Yes/No
Neutral citation :Yes/No
mps

To

1.The District Munsif -cum- Judicial Magistrate,
Karimangalam,
Dharmapuri.

2.The Section Officer,
VR Section,
Madras High Court.



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R. SAKTHIVEL, J.

mps

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