



CRP.No.576 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 20.11.2025

CORAM

THE HONOURABLE Mr. JUSTICE S.SOUNTHAR

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C.N.Annadurai

... Petitioner

Vs

S.Padmavathi

... Respondent

PRAYER : Civil Revision Petition filed under Article 227 of the Constitution of India praying to quash the petition filed in D.V.C.No.233 of 2023 pending on the file of the Special Judicial Court to Try Cases filed under Protection of Women from Domestic Violence Act, Coimbatore and pass orders.

For Petitioner : Mr.M.Guruprasad
for Mr.T.Balaji

For Respondent : Ms.R.Thenmozhi

ORDER

This civil revision petition is filed seeking to quash the complaint preferred by the respondent-wife under the provisions of Domestic Violence Act.



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2. According to the learned counsel for the petitioner, the respondent is not the wife of the petitioner and therefore, there is no domestic relationship between the parties to invoke the provisions of Domestic Violence Act.

3. Heard the learned counsel appearing on either side.

4. Existence of domestic relationship is a preliminary issue and if the petitioner is aggrieved by issuance of process by the learned Magistrate, he can very well go before the very same Magistrate and raise all the issues like absence of domestic relationship / shared house hold etc., as held by the Full Bench of this Court in *Arul Daniel and Others Versus Suganya* reported in **(2022) SCC Online Mad 5435**. Hence, this court is not inclined to exercise its supervisory power available under Article 227 of Constitution of India to quash the DVC complaint,

5. This civil revision petition is accordingly dismissed. The petitioner is at liberty to approach the concerned Magistrate for appropriate relief as held by this Court in *Arun Daniel* case.



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6. Taking into consideration that the complaint preferred by the respondent under Section 12, 18, 19 and 22 of the Domestic Violence Act, is predominantly civil in nature, the presence of the petitioner during enquiry before the Magistrate is dispensed with, unless his appearance is absolutely necessary.

20.11.2025

Index : Yes / No

Neutral Citation : Yes / No

Speaking Order : Yes / No
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To:

1.The Special Judicial Court

To Try Cases filed under Protection of Women
from Domestic Violence
Coimbatore.

2.The Section Officer

VR Section
High Court, Madras.



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S.SOUNTHAR, J.

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