



CRP No. 425 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-12-2025

CORAM

THE HONOURABLE MR.JUSTICE P.B. BALAJI

CRP No. 425 of 2025 and CMP No.2590 of 2025

1. SHANBASHA

S/o.K.A.Aallavudeen, res at No.1/2,
Anbu Nagar, Bharati Nagar Road,
Kuniyamuthur, Coimbatore and another

2. AYISHABEEVI

W/o.K.A.Aallavudeen, res at No.1/2,
Anbu Nagar, Bharati Nagar Road,
Kuniyamuthur, Coimbatore

Petitioner(s)

Vs

1. A. Reshma

W/o.Abdul Rahman, NO.3A,
Pappammal Layout, Pazhaiyur,
Pappanaickenpalayam, Coimbatore

Respondent(s)

For Petitioner(s): B.Gopalakrishnan

For Respondent(s): No appearance



ORDER

Learned counsel for the petitioners states that the respondent has chosen to re-marry even in March 2022 and therefore, she has not shown any interest to appear and contest the revision petition.

2. The Special Court for protection of Women from Domestic Violence passed an order directing the petitioners to pay a sum of Rs.5,000/- (Rupees Five Thousand Only) per month as interim maintenance. However, insofar as the family members of the petitioners, the DVC proceedings were quashed.

3. However, the appeal preferred by the petitioner in Crl.A.No.121 of 2022, the respondent/wife has contested by engaging a counsel and the appeal came to be dismissed.

4. Learned counsel for the petitioners states that the respondent has suppressed the fact that she got re-married to another person on 11.03.2022



even before the order came to be passed in DVA No.359 of 2019. Learned counsel would therefore state that the respondent/wife having suppressed material facts before the Courts below, is not entitled to any equitable relief of interim maintenance.

5. I find force in the submission of the learned counsel for the petitioners and that is probably the reason why the respondent has not chosen to enter appearance and contest the present revision as she has chosen to remarry and move on in life.

6. In the light of the above, I am inclined to set aside the order of Special Court for Protection of Women from Domestic Violence dated 19.05.2022 in DVA No.359 of 2019 and confirmed by III Additional District and Sessions Court, Coimbatore dated 29.07,2024 in Cr.A.No.121 of 2022 and accordingly, the same is set aside and the revision petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To

1. The III Additional District and Sessions Court, Coimbatore
2. The Special Court under Protection of Women from Domestic Violence, Coimbatore.



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P.B.BALAJI.,J

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