



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15-12-2025

CORAM

THE HONOURABLE MR.JUSTICE R. SAKTHIVEL

C.R.P.No.1248 of 2023

and C.M.P.Nos.8451 and 8452 of 2023

- 1.M.Jayalakshmi
2. M.Velmurugan
3. V.Sorna

...Petitioners/Respondents 2 to 4

Vs

1. Latha
- 2.M.Ramaraja

...1st Respondent/Complainant

...2nd Respondent/1st Respondent

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, 1950, praying to call for the entire records in connection with the Complaint in D.V.C.No.6 of 2022 on the file of the learned Judicial Magistrate, Thiruthuraipoondi filed by the 1st Respondent herein and to quash the same as illegal and improper.

For Petitioner(s): Mr.S.Sabarish

For Respondent(s): Mr.George Graham
for R1
R2- Served – No appearance

ORDER

The Civil Revision Petition has been filed praying to call for the entire records in connection with the Complaint in D.V.C.No.6 of 2022 on the file of the learned Judicial Magistrate, Thiruthuraipoondi filed by the 1st Respondent herein and to quash the same as illegal and improper.



2.The Revision Petitioners herein are the Respondent Nos.2 to 4 in the D.V.C. No.6 of 2022 on the file of the Trial Court. The 2nd Respondent herein is the husband of the 1st Respondent herein. The 1st revision petitioner is the mother of the 2nd respondent. The 2nd and 3rd Revision Petitioners are the brother and his wife. The marriage between the Respondents herein was solemnized on September 02, 2009. The 1st Respondent herein has filed D.V.C.No.6 of 2022 before the Trial Court, against the 2nd Respondent and the Revision Petitioners seeking protection under Section 18 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 DVC was filed on September 30, 2014.

3.Mr.S.Sabarish, learned counsel appearing for the Revision Petitioners would submit that the Revision Petitioners herein are the mother, brother and sister-in-law of the 2nd Respondent. It is submitted that there is a matrimonial dispute between the Respondents, and the Revision Petitioners are no way connected in this case. Since the Revision Petitioners are the mother, brother and sister-in-law of the 2nd Respondent, the 1st Respondent with a vindictive motive has initiated the aforesaid DVC case falsely against them as well. Further, he submits that the Revision Petitioners and the 2nd Respondent have not committed any domestic violence against the 1st Respondent as described in the Domestic Violence Complaint. Hence, he seeks the relief as prayed for.



4. *Per contra*, Mr. George Graham, learned counsel appearing for the 1st Respondent would submit that the Revision Petitioners and the 2nd Respondent have committed domestic violence against the 1st Respondent. Hence, there is no need to quash the D.V.C.No.6 of 2022 and accordingly, he prays to dismiss the Civil Revision Petition.

5. Having considered the facts and circumstances of the case and the submissions made on either side, this Court is of the view that this is not a fit case for quashing the case *qua* Revision Petitioners/Respondent Nos.2 to 4. This Court has perused the petition in D.V.C.No.6 of 2022; it is seen that the 2nd Respondent is the husband of the 1st Respondent and the Revision Petitioners are the mother, brother and sister-in-law of the 2nd Respondent. In view of the domestic relationship, the 1st Respondent has initiated the DVC.No.6 of 2022 against her husband/2nd Respondent herein and his family members alleging cruelty. As of now, the said DVC.No.6 of 2022 is at the stage of trial which is pending since 2022 before the Trial Court. The question about the truthfulness of the allegations raised by the 1st Respondent *qua* Revision Petitioners can only be decided after full trial. The Revision Petitioners have not made out a case for quashing the Domestic Violence Case. Hence, this Court is not inclined to allow the Civil Revision Petition.



6.However, this Court is of the view that the presence of the Revision Petitioners is not necessary unless the Trial Court specifically directs them to appear. Hence, this Court directs the learned Judicial Magistrate,

Thiruthuraipoondi, not to insist on the presence of the Revision Petitioners at each and every hearing except when their presence is deemed necessary for progress of the proceedings. In other words, the personal appearance of the Revision Petitioners before the learned Judicial Magistrate, Thiruthuraipoondi, hereby stands dispensed with, however, the learned Magistrate may order for their appearance when he/she deems fit and necessary.

7.Considering the age of the Revision Petitioners, the Trial Court is hereby directed to dispose of the case in D.V.C.No.6 of 2022, expeditiously.

8.With the aforesaid observations, the Civil Revision Petition is dismissed. In view of the facts and circumstances, there shall be no order as to costs. Consequently, connected Civil Miscellaneous Petitions are closed.

15-12-2025

mps

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



To

1.The Judicial Magistrate,
Thiruthuraipoondi.

2.The Section Officer,
V.R. Section,
Madras High Court.



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R.SAKTHIVEL, J.

mps

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