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CRP.No.2873 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.07.2025

CORAM :

THE HONOURABLE MR. JUSTICE P.B. BALAJI

CRP.No.2873 of 2025

A.Sahana

Rep. by M.Tawalath Nisha

...Petitioner

Vs.

1. Mohammed Aasif

2. Aaji

3. Sabeena

4. Jakkiriya

...Respondents

Civil Revision Petition filed under Article 227 of Constitution of India, to issue direction to the learned Special Court for Trial of cases under Domestic Violence Act, Coimbatore to number the CMP.SR.No. 1882 of 2024 in DVA.No.110/2023 with power of attorney petition.

For Petitioner : Mr.R.Prabakar



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ORDER

The revision petitioner has taken out an application in CMP.SR.No.1882 of 2024 in DVA.No.110 of 2023 before the Special Court for trial of cases under Domestic Violence Act, Coimbatore for permitting the Power Agent/Mother to represent the petitioner.

2. In view of the limited relief sought for by the petitioner, notice to the respondents is dispensed with.

3. I have heard the learned counsel for the petitioner and I have also gone through the docket orders returning the CMP.

4. It is seen from the notes paper that the said application was initially returned on 19.08.2024 and thereafter, the same has been represented on multiple occasions and lastly on 30.01.2025. The returns have been complied with and thereafter, the CMP has been represented.



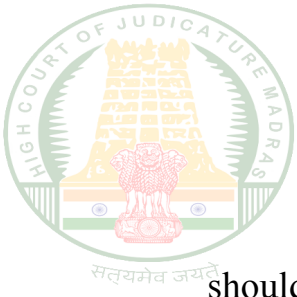
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5. The grievance of the petitioner is that, thereafter no orders have been passed in the said application and once again, the same was returned on 25.02.2025 on the ground that the previous returns have not been properly complied with. Hence, the revision petitioner has challenged the said docket order returning the CMP in the present revision.

6. The application has been filed seeking to set aside the order of dismissal for default of DVA.No.110 of 2023. It is the specific contention of the petitioner that she is unable to prosecute the proceedings in view of her employment in Dubai. Hence, she has appointed her Power agent to represent the papers.

7. If at all the Court is not satisfied with the compliance made by the petitioner, after one or two occasions, the matter should be posted before the Open Court and the learned counsel for the petitioner should be allowed to argue on the maintainability of the application. The Court



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should not have repeatedly returned the petition citing the very same reasons.

8. In view of the above, direction is issued to the petitioner to represent the CMP.SR.No.1882 of 2024 in DVA.No.110 of 2023 and the Special Court for trial of cases under Domestic Violence Act, Coimbatore shall, thereafter, post the matter in the Open Court and pass orders within a period of four (4) weeks from the date of receipt of a copy of this order, after affording opportunity of hearing to the petitioner.

9. Accordingly, this Civil Revision Petition stands disposed of. No costs.

10. Registry is directed to return the original petition to the petitioner, enabling her to represent the same before the trial court.

11.07.2025

skt

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Speaking order : Yes / No
NCC : Yes / No

To

The Special Court for trial of cases under Domestic Violence Act,
Coimbatore.



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P.B. BALAJI, J.

skt

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