



WEB COPY



CRP No.56 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.10.2025

CORAM:

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRP NO.56 OF 2023
AND CMP NO.477 OF 2023

1.Saraswathi
2.Ponnusamy
3.Santhi

... Petitioners /
Respondents 1 to 3

Versus

Yasodha

... Respondent /
Petitioner

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, praying to strike off the petition in DVC No.5 of 2022 on the file of Judicial Magistrate, Paramathy, Namakkal District.

For Petitioners : Mr.K.Bhoopathy Rajan
For Respondent : Mr.B.Thirumalai

ORDER

This Civil Revision Petition has been filed praying to strike off the petition in DVC No.5 of 2022 on the file of the learned Judicial Magistrate, Paramathy, Namakkal District.

Page No.1 of 7



2.The Revision Petitioners herein are the respondents 1 to 3 in

DVC No.5 of 2022 on the file of the learned Judicial Magistrate, Paramathy, Namakkal District. The respondent herein is the wife of one Late. Sekar, who is the son of the first revision petitioner and cousin of the second revision petitioner and brother of the third revision petitioner. The marriage between the respondent and the son of the first revision petitioner was solemnized on March 11, 2016. Out of their wedlock, one male child was born on December 8, 2016. Due to some illness, the husband of the respondent herein passed away on January 6, 2020. The respondent herein has filed DVC No.5 of 2022 before the learned Judicial Magistrate, Paramathy, Namakkal District against the revision petitioners seeking residential order to reside in a shared household under Section 17, protection from further domestic violence under Section 18, prohibiting the revision petitioners from alienating the assets of the respondent in which the lawful right of the minor son persists, Return of Stridhana articles under Section 19(8), restoration of the respondent's earnings from the first revision petitioner under Section 20(c) and Compensation under Section 22 of the Protection of Women from Domestic Violence Act, 2005. The said DVC was filed on June 28, 2022.



WEB COPY

3.Mr.M.K.Bhoopathy Rajan, learned Counsel for the revision petitioners would submit that the first and third revision petitioners are the in-laws of the respondent. The first revision petitioner is the mother-in-law and third revision petitioner is the sister-in-law of the respondent herein. Second revision petitioner is the cousin of the husband of the respondent. It has been further submitted that there is some property dispute between the revision petitioners and the respondent after the demise of her husband Late. Sekar. Owing to the dispute, the respondent has falsely initiated the aforesaid DVC case against the revision petitioners with a vindictive motive. The learned Counsel further submits that the revision petitioners have not committed any domestic violence against the respondent as described in the DVC petition and they are aged about 57 and 40 years respectively. Hence, he seeks the relief as prayed for.

4.Per contra, Mr.B.Thirumalai, learned Counsel for the respondent would submit that the revision petitioners and others have committed domestic violence against the respondent. Hence, the petition in DVC No.5 of 2022 shall not be struck off. Accordingly, he prays to dismiss



the Civil Revision Petition.

WEB COPY

5.This Court has considered the facts and circumstances of the case, heard the submissions made on either side and perused the petition in DVC No.5 of 2022. It is seen that the first and third revision petitioners are the in-laws of the respondent and second revision petitioner is the cousin of the husband of the respondent. In view of the domestic relations, the respondent has initiated the case in DVC No.5 of 2022 against her in-laws and husband's cousin / the revision petitioners herein. As of now, the said DVC No.5 of 2022 is at the stage of trial which is pending since 2022 before the learned Judicial Magistrate, Paramathy, Namakkal District. The truth about the allegations can be ascertained only at the time of trial. Hence, this Court is not inclined to strike off the complaint.

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, Paramathy, Namakkal District not to insist on the presence of the revision petitioners unless deemed necessary for progress of the



CRP No.56 of 2023

proceedings.

WEB COPY

7.Considering the age of the Domestic Violence Complaint, the Trial Court is hereby directed to dispose of the case in DVC No.5 of 2022 expeditiously.

8.With the aforesaid observations, this Civil Revision Petition is dismissed. Considering the relationship between the parties, there shall be no order as to costs. Consequently, connected Civil Miscellaneous Petition is closed.

25.10.2025

Index : Yes / No
Neutral Citation : Yes / No
Speaking Order : Yes / No
TK

To

The Judicial Magistrate
Paramathy,
Namakkal District.

Page No.5 of 7



WEB COPY



CRP No.56 of 2023



WEB COPY



CRP No.56 of 2023

R.SAKTHIVEL, J.

TK

CRP NO.56 OF 2023

25.10.2025

Page No.7 of 7