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C.R.P. (PD) No.5394 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 10.02.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

C.R.P. (PD) No.5394 of 2024
and CMP.No.30022 of 2024

1.Sai Venkatesh
2.Radha Kannan

.... Petitioners

Vs

Deepikha Shrikannen

... Respondent

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India praying to set aside the fair and decreetal order of XVII Metropolitan Magistrate, Saidapet, Chennai, dated 20.11.2024 made in Crl.M.P.No.19760 of 2024 in DVC.No.19 of 2024.

For Petitioners	:	Mr.Guru Dhananjay
For Respondent	:	Mr.N.Soundararajan



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ORDER

The present revision petition has been filed challenging the order of the XVII Metropolitan Magistrate, Saidapet, Chennai, dated 20.11.2024 in CrI.MP.No.19760 of 2024 in DVC.No.19/2024.

2. The respondent is the wife of the first petitioner and daughter-in-law of the second petitioner. The respondent-wife initiated DVC proceedings against her husband and mother-in-law on the ground of cruelty, and the same is pending in D.V.C.No.19/2024 on the file of XVII Metropolitan Magistrate, Saidapet, Chennai. Pending the DVC proceedings, the wife had filed a petition in CrI.M.P.No.19760 of 2024 seeking for an order of interim residence to stay at the flat which was jointly purchased by her and her husband, the first respondent.

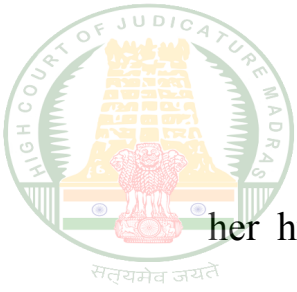
3. According to the wife-respondent, her marriage was a arranged



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marriage and was performed on 31.08.2018 by the elders of both the families. Her father died on 11.11.2018, thereafter, her matrimonial life ran into a rough weather and now they are living separately. Both the respondent-wife and first petitioner are IT professional. They had jointly purchased a flat at Radiance the Pride, D-205, D Block, II Floor, 77/6A, Pammal Main Road, Pallavaram, Chennai for Rs.65,00,000/- and she had contributed Rs.30,00,000/- towards the said purchase. The husband-first petitioner is now at Nigeria and the house is in the possession of the second petitioner, her mother-in-law. The respondent-wife had been thrown out of the house by the petitioners.

4. Since the respondent-wife is the joint owner of the said property and that she had been denied of her right to reside in the flat, she had filed the petition in Crl.M.P.No.19760 of 2024 seeking leave of the Court to stay in her house and to direct her husband, the first petitioner herein to hand over the keys to her. The trial Court had allowed the said petition and order of interim residence is granted to the respondent-wife, directing



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her husband and mother-in-law to hand over the duplicate key of the house to the wife, however, her in-laws and her husband were also granted access to the said property.

5. Aggrieved by the order of the trial Court in Crl.M.P.No.19760 of 2024, the husband and mother-in-law had preferred the present civil revision petition.

6. The learned counsel on either side along with their parties, except the first petitioner appeared before the Court today.

7. It is brought to the notice of the Court that the first petitioner-husband is working in Nigeria and the second petitioner, mother-in-law is residing with her husband at Thiruvaur.

8. It was earlier informed that the second petitioner and the respondent-wife had a key each to the main door of the house and the key



to the outer door was in the custody of the second petitioner herein. This

Court directed the keys of the outer door premises to be handed over to the respondent-wife and accordingly, the key was handed over to her. Therefore, both the parties now possess entire set of key with reference to the house property.

9. The respondent-wife who is present in the Court has undertaken that she would not prevent her husband, the first petitioner from visiting the property in question.

10. Upon hearing both sides, this Court felt that in order to avoid any further allegations to be traded among the parties, it would be advisable that the second petitioner does not visit the premises in question, till the DVC proceedings are disposed of.

11. The counsel for the petitioners seeks leave of the Court that the parents of the first petitioner may be permitted to stay in the premises and



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that they would leave the property in a day or two,

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to which, the respondent-wife too had consented to it.

12. In view of the above, a direction is issued to the learned XVII Metropolitan Magistrate, Saidapet, Chennai, to dispose of the DVC proceedings in DVC.No.19 of 2024, within a period of six months from the date of filing the counter in DVC petition.

13. With the above observation and direction, this civil revision petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

10.02.2025

Index: Yes/No

Speaking order/non-speaking order

Neutral Citation: Yes/No

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- To:
- 1.The XVII Metropolitan Magistrate
Saidapet, Chennai.
 - 2.The Section Officer
VR Section, High Court, Madras.



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P.T.ASHA, J.,

ds

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