



C.R.P.(MD)No.340 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.07.2025

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THE HON'BLE MR. JUSTICE M.DHANDAPANI

C.R.P.[PD].(MD)No.340 of 2024

and

C.M.P.(MD)Nos.1584 & 1585 of 2024

1.Usha
2.Essakiammal
3.Essaki Das
4.Pappa

...Petitioners/Respondents 2 to 5

Vs.

1.Anusha
2.M.Balakrishnan
3.Rajam

... 1st Respondent/Petitioner

... Respondents 2 & 3/
Respondents 1 & 6

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, praying to strike off the proceedings in D.V.C.No.1 of 2021 on the file of the District Munsif-cum-Judicial Magistrate Court, Boothapandy.

For Petitioners : Mr.P.T.Ramesh Raja

For R1 : Mr.K.Sudalaiyandi



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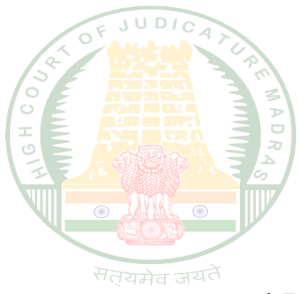
ORDER

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This petition has been filed seeking to strike off the impugned proceedings in DVC.No.1/2021, pending before the District Munsif-cum-Judicial Magistrate Court, Boothapandy.

2.The petitioners herein are the respondents 2 to 5 in D.V.C.No.1 of 2021, before the trial Court. The first respondent herein has filed D.V.C.No.1 of 2021, before the District Munsif-cum-Judicial Magistrate Court, Boothapandy, under the provisions of the Domestic Violence Act and BNSS, 2023.

3.The learned counsel appearing for the petitioners submit that the petitioners are the in-laws of the first respondent. The first respondent has initiated domestic violence proceedings against her husband and her in-laws. It is submitted that the petitioners are in no way connected with the allegations made by the first respondent in the DVC case and though her husband is ready and willing to live with the first respondent it is only the first respondent who is not coming to live with him and has initiated the present case. Therefore, he prays that the petitioners may be permitted to raise all the grounds mentioned herein before the trial court. He also requests this Court to dispense with thier personal appearance before the trial court.

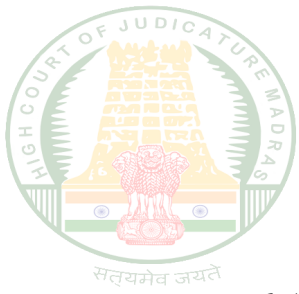


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4.Learned counsel appearing for the first respondent submits that if this Court is inclined to dispense with the appearance of the petitioners, this Court may impose requisite conditions to see to it that the presence of the petitioners at the times, during which the presence of the petitioners are mandatory be safeguarded so that the petitioners does not frustrate the trial proceedings by dragging on the same to the detriment of the first respondent.

5.This Court, taking into consideration the submission made by the learned counsel for the petitioners, permits the petitioners to raise all the grounds as raised herein before the trial court at the time of trial. Taking into consideration the request made by the learned counsel for the petitioners, their appearance before the trial court is dispensed with except for their appearance for the purpose of receiving the copy of the proceedings u/s 230 of BNSS, framing of charges, questioning under Section 351 of BNSS and on the day on which judgment is to be pronounced. However, if for any particular reason, the presence of the petitioners is necessary, the trial court, at its wisdom, shall direct them to appear on those days. **Considering the pendency of the case from 2021, the trial Court is directed to dispose of D.V.C.No.1 of 2021, as expeditiously as possible.**



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6. Accordingly, this Civil Revision Petition stands dismissed. There shall be no order as to costs. Consequently, the connected miscellaneous petitions are closed.

07.07.2025

Internet: Yes/No

Index: Yes/No

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To

- 1.The District Munsif-cum-Judicial Magistrate Court,
Boothapandy.
- 2.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI, J.

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