



C.R.P.(MD)No.757 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.07.2025

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THE HON'BLE MR. JUSTICE M.DHANDAPANI

C.R.P.(MD)No.757 of 2023

and

C.M.P.(MD)Nos.3552 & 3553 of 2023

S.Sankar

...Petitioner

Vs.

1.G.Saranya
2.Aaradhana
3.Subramania Pillai
4.Valliammal

...Respondents

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, praying to strike off the impugned proceedings in D.V.C.No.23 of 2022 on the file of the learned Additional Mahila (Fast) Court, Nagercoil District insofar as the petitioner is concerned by allowing the Civil Revision Petition.

For Petitioner : Mr.M.Natarajan

For Respondents : No appearance



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ORDER

This petition has been filed seeking to strike off the impugned proceedings in D.V.C.No.23 of 2022, on the file of the learned Additional Mahila (Fast) Court, Nagercoil District.

2.The petitioner herein is the first respondent in D.V.C.No.23 of 2022, before the trial Court. The respondents herein have filed D.V.C.No.23 of 2022, before the Additional Mahila (Fast) Court, Nagercoil District, under the provisions of the Domestic Violence Act and BNSS, 2023.

3.The learned counsel appearing for the petitioner submits that he is the husband of the first respondent. The first respondent has initiated domestic violence proceedings against him and her in-laws. It is submitted that the petitioner is in no way connected with the allegations made by the first respondent in the DVC case and though he is ready and willing to live with the first respondent it is only the 1st respondent who is not coming to live with him and has initiated the present case. Therefore, he prays that the petitioner may be permitted to raise all the grounds mentioned herein before the trial court. He



also requests this Court to dispense with his personal appearance before the trial court.

4.Inspite of issuance of notice, there is no representation for the respondents. However, in view of the nature of the order which this Court is going to pass, which in no way affects the respondents, representation on behalf of the respondents is not necessary.

5.This Court, taking into consideration the submission made by the learned counsel for the petitioner, permits the petitioner 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 petitioner, his appearance before the trial court is dispensed with except for his 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 petitioner is necessary, the trial court, at its wisdom, shall direct him to appear on those days.



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

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Internet: Yes/No

Index: Yes/No

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To

- 1.The Additional Mahila (Fast) Court,
Nagercoil District.
- 2.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI, J.

MR

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