



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.07.2025

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THE HON'BLE MR. JUSTICE M.DHANDAPANI

C.R.P.(PD)(MD)No.650 of 2025

and

C.M.P.(MD).No.3485 of 2025

1.Irulandi

2.Vasuki

...Petitioners

Vs.

1.Sandhiya

2.Nagarajan

...Respondents

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to strike off the petition relating to the case in D.V.C.No.165 of 2024, on the file of the learned Judicial Magistrate, Additional Mahila Court (FAC), Madurai and strike off the same insofar as it is related to the petitioners.

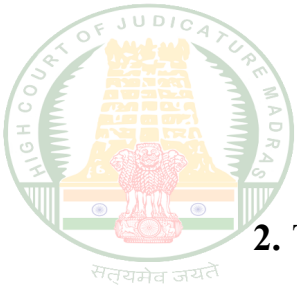
For Petitioners : Mr.K.Rajeswaran

For R-1 : Mr.K.Yasar Arafath

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ORDER

This petition has been filed seeking orders to strike off the petition relating to the case in D.V.C.No.165 of 2024, before the learned Judicial Magistrate, Additional Mahila Court (FAC), Madurai and strike off the same insofar as it is related to the petitioners.



2. The petitioners herein are respondent Nos.2 and 3 in D.V.C.No.165 of 2024, before the trial Court. The first respondent herein has filed D.V.C.No.165 of 2024, before the learned Judicial Magistrate, Additional Mahila Court (FAC), Madurai, under the provisions of the Protection of Women from Domestic Violence Act, 2005.

3. The learned counsel appearing for the petitioners submits that the petitioners are the in-laws of the first respondent. The first respondent has initiated domestic violence proceedings against them. The second respondent is the husband of the first respondent. 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 the second respondent 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 their personal appearance before the trial court.

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 is 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 2024, the trial Court is directed to dispose of D.V.C.No.165 of 2024, as expeditiously as possible.

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

10.07.2025

Internet: Yes/No

Index: Yes/No

TSG



To

1.The Judicial Magistrate, Additional Mahila Court (FAC), Madurai.

2.The Section Officer,

VR Section,

Madurai Bench of Madras High Court, Madurai.



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C.R.P.(PD)(MD)No.650 of 2



M.DHANDAPANI, J.

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C.R.P.(PD)(MD)No.650 of 2025

10.07.2025