



**C.R.P.(MD)No.694 of 2025**

WEB COPY

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 14.07.2025**

**CORAM**

**THE HON'BLE MR. JUSTICE M.DHANDAPANI**

**C.R.P.[PD].(MD)No.694 of 2025**

**and**

**C.M.P.(MD)Nos.3685 & 3687 of 2025**

1.Rubina  
2.V.Sivakumar

...Petitioners/Respondents 4 & 5

Vs.

1.J.Mansha  
2.A.Sanjai  
3.Anthony  
4.Lalitha  
(No relief is claimed against the  
the respondents 2 to 4 hence  
notice may be dispensed with)

...Respondents 2 to 4/  
Respondents 1 to 3

**PRAYER:** Civil Revision Petition is filed under Article 227 of Constitution of India, to strike off the DVC proceedings initiated by the first respondent in D.V.C.No.1 of 2023, on the file of the Additional Mahila Court (Magistrate Level) Nagercoil, Kanyakumari District and allow the above Civil Revision Petition.



WEB COPY



**C.R.P.(MD)No.694 of 2025**

For Petitioners : Mr.S.Ramasamy

For R1 : M/s.N.Vijayalakshmi

### **ORDER**

This petition has been filed seeking to strike off the impugned proceedings in D.V.C.No.1 of 2023, pending before the Additional Mahila Court (Magistrate Level) Nagercoil, Kanyakumari District.

2.The petitioners herein are the respondents 4 & 5 in D.V.C.No.1 of 2023, before the trial Court. The first respondent herein has filed D.V.C.No.1 of 2023, before the Additional Mahila Court (Magistrate Level) Nagercoil, Kanyakumari District, under the provisions of the Domestic Violence Act and BNSS, 2023.

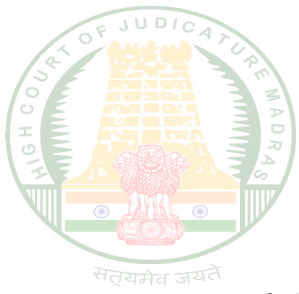
3. The learned counsel appearing for the petitioners would submit that the first petitioner is the sister-in-law of the first respondent and the second petitioner is the husband of the first petitioner. Aggrieved against the D.V.C.No.1 of 2023 filed by the first respondent against the petitioners, the present Civil Revision Petition has been filed.



C.R.P.(MD)No.694 of 2025

4. The learned counsel for the petitioners would submit that the marriage of the first respondent and her husband was solemnized on 21.10.2020 at St.Panimaya Matha Church, Asaripallam as per the Christian Rites and Customs. The first respondent claimed that at the time of marriage her parents have given 30 sovereigns of gold jewels, cash of Rs.2,00,000/- and Sridhana articles which is worth about Rs.3,00,000/-. Out of wedlock, they blessed with male child. Thereafter, the first respondent filed D.V.C.No.1 of 2023 against her husband and her in-laws. Though she made some allegations against the petitioners, the second petitioner is the husband of the sister-in-law of the first respondent, the petitioner has made some general allegations against the second petitioner. On the basis of the general allegations, the second petitioner need not be faced the trial. Accordingly, he prays for quashing the DVC case in favour of the second petitioner.

5. Considering the facts and circumstances of the case and also considering the fact that the second petitioner is the husband of the first petitioner and he is no way connected with the allegations made against him, this Court is inclined to quash the D.V.C.No.1 of 2023 in respect of the second petitioner. Accordingly, D.V.C.No.1 of 2023 as against the second petitioner is quashed.



WEB COPY

6. In respect of the first petitioner, the learned counsel appearing for the petitioner submits that she is the sister-in-law of the first respondent. The first respondent has initiated domestic violence proceedings against her husband and her in-laws. It is submitted that the first petitioner is 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 first petitioner may be permitted to raise all the grounds mentioned herein before the trial court. He also requests this Court to dispense with her personal appearance before the trial court.

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



**C.R.P.(MD)No.694 of 2025**

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

9.Accordingly, this Civil Revision Petition is allowed with regard to the second petitioner and the Civil Revision Petition is dismissed with regard to the first petitioner. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

**14.07.2025**

Internet: Yes/No

Index: Yes/No

am



**C.R.P.(MD)No.694 of 2025**

WEB COPY

To

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



WEB COPY



**C.R.P.(MD)No.694 of 2025**

**M.DHANDAPANI, J.**

am

**C.R.P.(MD)No.694 of 2025**

**14.07.2025**