



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.07.2025

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THE HON'BLE MR. JUSTICE M.DHANDAPANI

C.R.P.(PD)(MD)No.1174 of 2025

and

C.M.P.(MD).Nos.6293 of 2025

1.Vanaja

2.Jeyanthi

3.Wilson

...Petitioners

Vs.

1.AFemi Gana Selvi

2.D.Suveensha

(Respondent No.2 represented by its guardian / first respondent)

3.David Sagaya Baskar

4.Basleen Vino

...Respondents

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to call for the records pertaining to D.V.C.No.9 of 2021 on the file of the Additional Mahila Court (Magisterial Level), Nagercoil, Kanyakumari District and to quash the same as against the petitioners.

For Petitioners

: Mr.SC.Herold Singh

For R-4

: Mr.C.Kishore

For R-1 to R-3

: No Appearance

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ORDER

This petition has been filed seeking to quash the proceedings in D.V.C.No.9 of 2021 on the file of the Additional Mahila Court (Magisterial Level), Nagercoil, Kanyakumari District, as against the petitioners.

2. The petitioners herein are respondent Nos.2 to 4 in D.V.C.No.9 of 2021 before the trial Court. The respondent Nos.1 and 2 herein have filed D.V.C.No. 9 of 2021, on the file of the Additional Mahila Court (Magisterial Level), Nagercoil, Kanyakumari District, under the provisions of the Protection of Women from Domestic Violence Act, 2005.

3. The learned counsel appearing for the petitioners submits that the first and second petitioners are the sisters-in-law of the first respondent. The third petitioner is the husband of the second petitioner. The respondent Nos.1 and 2 have initiated domestic violence proceedings against the petitioners herein. It is submitted that the petitioners are in no way connected with the allegations made by the respondent Nos.1 and 2 in the DVC case and though the husband / third 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. In spite of issuance of notice to respondent Nos.1 and 2, there is no representation for the respondent Nos.1 and 2. However, in view of the nature of the order which this Court is going to pass, which in no way affects the respondent Nos.1 and 2, representation on behalf of respondent Nos.1 and 2 is not necessary.

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.

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

14.07.2025

Internet: Yes/No
Index: Yes/No
TSG



To

1.The Additional Mahila Court (Magisterial Level), Nagercoil,
Kanyakumari District.

2.The Section Officer,
VR Section,
Madurai Bench of Madras High Court, Madurai.



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M.DHANDAPANI, J.

TSG

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