



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.1224 of 2025

and

C.M.P.(MD).Nos.6499 of 2025

1.S.Shankar

2.A.Shanmugavel

3.S.Mahalakshmi

4.A.Chithirai

5.S.Prasana @ Ambalavanan

6.S.Arunachalam

7.S.Venugopal

...Petitioners

Vs.

L.Rekha

...Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to strike off the proceedings made in D.V.C.No.37 of 2023 on the file of the Additional Mahila Court, Nagercoil, in respect of the petitioners, who were arrayed as respondent Nos.1 to 7.

For Petitioners : Mr.K.Dinesh

For Respondent : Mr.K.Prabu

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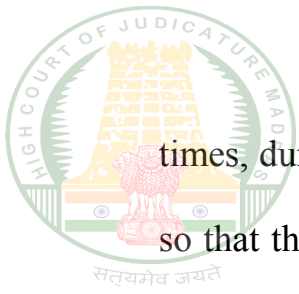
ORDER

This petition has been filed seeking to strike off the proceedings made in D.V.C.No.37 of 2023 on the file of the Additional Mahila Court, Nagercoil.

2. The petitioners herein are respondent Nos.1 to 7 in D.V.C.No.37 of 2023 before the trial Court. The respondent herein has filed D.V.C.No.37 of 2023, on the file of the Additional Mahila Court, Nagercoil, 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 petitioner is the husband of the respondent. The second and third petitioners are the in-laws of the respondent. The fourth petitioner is the brother of the second petitioner. The fifth, sixth and seventh petitioners are the brothers of the first petitioner. The respondent has 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 in the DVC case and though the first petitioner is ready and willing to live with the respondent, it is only the 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 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 petitioner does not frustrate the trial proceedings by dragging on the same to the detriment of the 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.

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

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C.R.P.(PD)(MD)No.1224 of 2019



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

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M.DHANDAPANI, J.

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