



C.R.P.(MD)No.1389 of 2025

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.(MD)No.1389 of 2025

and

C.M.P.(MD)No.7181 of 2025

1.Gunasekar

2.Kamalaveni

3.Arunkumar

4.Gunanandhini

...Petitioners

Vs.

1.Surya

2.Gowtham

...Respondents

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, praying to call for the records pertaining to the case in D.V.C.No.20 of 2024 on the file of the learned District Munsif cum Judicial Magistrate, Aravakurichi and set aside the same insofar as the petitioners are concerned.

For Petitioners : Mr.J.Senthil Kumaraiah

For R-1 : No appearance



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ORDER

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This petition has been filed seeking orders to set aside the case in D.V.C.No.20 of 2024 on the file of the learned District Munsif cum Judicial Magistrate, Aravakurichi, insofar as the petitioners are concerned.

2. The petitioners herein are respondent Nos.2 to 5 in D.V.C.No.20 of 2024, before the trial Court. The first respondent herein has filed D.V.C.No.20 of 2024, on the file of the learned District Munsif cum Judicial Magistrate, Aravakurichi, under the provisions of the Protection of Women from Domestic Violence Act.

3. The learned counsel appearing for the petitioners submits that the second respondent is the husband of the first respondent. The first respondent has initiated domestic violence proceedings against her husband and her in-laws. 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 her husband / 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

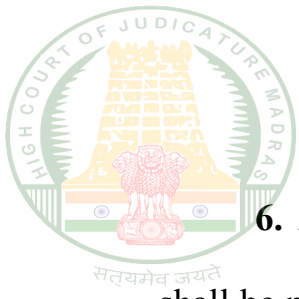


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also requests this Court to dispense with their personal appearance before the trial court.

4. In spite 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 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.



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

14.07.2025

Internet:Yes/No

Index:Yes/No

TSG

To

1.The District Munsif cum Judicial Magistrate, Aravakurichi.

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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