



C.R.P.(PD)(MD).No.1396 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

C.R.P.(PD)(MD)No.1396 of 2025

and

C.M.P.(MD)No.7203 of 2025

1.Festas Martin

2.Lalitha Starlet

3.Jenisha Vinothini James

4.James Joseph

... Petitioners

Vs.

1.M.Virjin Xavier

2.F.M.Jenix Vinoth

... Respondents

PRAYER: Civil Revision Petition - filed under Article 227 of Constitution of India, to strike off the proceedings in D.V.C.No.47 of 2024 on the file of the Judicial Magistrate No.1, Tirunelveli.

For Petitioner	: Mr.V.Balaji
For R1	: Mr.S.Kumar
For R2	: No Appearance



C.R.P.(PD)(MD).No.1396 of 2025

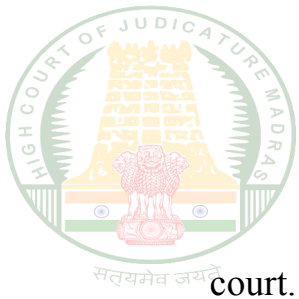
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ORDER

This petition has been filed seeking to strike off the impugned proceedings in D.V.C.No.47 of 2024 on the file of Judicial Magistrate No.1, Tirunelveli.

2.The petitioners herein are the respondents 2 to 5 in D.V.C.No.47 of 2024, before the trial Court. The first respondent herein has filed D.V.C.No. 47 of 2024, before the learned Judicial Magistrate No.1, Tirunelveli, under the provisions of the Domestic Violence Act.

3.The learned counsel appearing for the petitioners submits that the first respondent has initiated domestic violence proceedings against her husband and her in-laws. It is submitted that the first petitioner is the father-in-law, second petitioner is the mother-in-law, third petitioner is the sister-in-law and the fourth petitioner is the husband of the sister-in-law of the first respondent herein and they are in no way connected with the allegations made by the respondent in the DVC case. Therefore, he prays that the petitioners may be permitted to raise all the grounds mentioned herein before the trial



C.R.P.(PD)(MD).No.1396 of 2025

WEB COPY

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

4.The 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 do 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 on the day on which judgment is to be pronounced and 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.



C.R.P.(PD)(MD).No.1396 of 2025

WEB COPY

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

23.07.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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To

1. The Judicial Magistrate No.I, Tirunelveli.
2. The Section Officer,
Vernacular Records,
Madurai Bench of Madras High Court,
Madurai.



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C.R.P.(PD)(MD).No.1396 of 2025

M.DHANDAPANI,J.

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C.R.P.(PD)(MD)No.1396 of 2025

23.07.2025