



CRP(MD). No.1651 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 09/07/2025

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

**CRP (MD). No.1651 of 2024
and CMP(MD) No.9698 of 2024**

1. S.Magudapathi Raja,
2. U.Swaminathan,
3. S.Kamesh Raja,,
4. Reena Alias Revathi,
5. Kalavathi Alias Kalaiselvi ... Petitioners

Vs

Narmatha
(The Respondent Father Cum
Power Agent of Kottaisamy Represented. ... Respondent

PRAYER :-Civil Revision Petition filed under Article 227 of The Constitution of India against the complaint in DVC No.1 of 2024 on the file of the District Munsiff cum Judicial Magistrate Court, Thiruppuvanam, Sivagangai District and strike off the same as illegal.

For Petitioners : Mr.R.Udhayakumar
For Respondent : Mr.S.Vellaisamy



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ORDER

This Civil Revision Petition has been filed against the complaint in DVC No.1 of 2024 on the file of the District Munsiff cum Judicial Magistrate Court, Thiruppuvanam, Sivagangai District and also strike off the same.

2. The first petitioner is the husband and the respondent is the wife and their marriage was solemnized on 02.06.2010 and they were blessed with two sons. The other petitioners are in-laws of the respondent. Since their matrimonial life ran into rough weather, the respondent initiated proceedings under the Domestic Violence Act, 2005 in DVC No.1/2024. Challenging the same, the petitioners are before this Court.

3.The learned counsel for the petitioners would submit that the revision petition is filed solely on the ground that the first petitioner filed a petition for divorce in HMOP No.77/2020 on the file of the Family Court, Sivagangai and divorce was also granted vide order dated 30.06.2023. After divorce, the respondent intentionally initiated the



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domestic violence proceedings on the very same allegation. It is also submitted that the respondent has already filed a maintenance case before the trial Court in MC No.34/2023 and the same is pending. The learned counsel would submit that already the petitioner is paying Rs.44,000/- towards home loan and in the said house, the respondent and their two sons are residing and pursuing their studies. Hence, without prejudice to the rights and contention and subject to the outcome of the order to be passed in the maintenance case, the petitioner is ready and willing to pay monthly maintenance of Rs.10,000/- each to his sons. Hence, the learned counsel prays for interference.

4. The learned counsel for the respondent, however, has no objection for the same. He would submit that for the purchase of the said house, the respondent also parted the initial amount and against the decree for divorce in OP No.77/2020, CMA is filed and the same is pending before this Court in CMA(MD) No.707/2023.

5. I have considered the rival submissions and perused the materials available on record.



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6. Considering the facts and circumstances of the case and considering the fact that already divorce has been granted and a maintenance case is also pending, this Court is inclined to pass the following order:

Without prejudice to the rights and contention in the maintenance case, the first petitioner is directed to pay a sum of Rs.10,000/- each to his sons, ie., total sum of Rs.20,000/- as interim maintenance per month and continue to pay Rs.20,000/- every month, ie., on or before the 7th of every English calender month.

7. Accordingly, the Civil Revision Petition is allowed and the proceedings in DVC No.1/2024 is hereby quashed. No costs. Consequently connected Miscellaneous Petition is closed.

09.07.2025

NCC : Yes/No
Index : Yes/No
RR



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M.DHANDAPANI,J

RR

TO

1.The District Munsiff cum Judicial Magistrate Court, Thiruppuvanam,
Sivagangai District

2.VR Section

Madurai Bench of Madras High Court, Madurai.

ORDER

IN

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Date : 09/07/2025