



C.R.P.(PD)(MD).No.1728 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

C.R.P.(PD)(MD)No.1728 of 2024

and

C.M.P.(MD)Nos.1003 of 2024

1.Susila

2.Ponnuchamy

3.Kannan @ Tamilselvam

... Petitioners

Vs.

1.D.Boopalanayagi @ Viji

2.P.Karthi

... Respondents

PRAYER: Civil Revision Petition - filed under Article 227 of Constitution of India, to strike off the petition in D.V.C.No.40 of 2024 on the file of the Additional Mahila Court, (Magistrate Level), Madurai insofar as the petitioners alone.

For Petitioner	: Mr.A.S.Rajeswari
For R1	: Mr.G.Pandiarajan
For R2	: No Appearance



C.R.P.(PD)(MD).No.1728 of 2024

ORDER

WEB COPY

This petition has been filed seeking to strike off the impugned proceedings in D.V.C.No.40 of 2024 on the file of Additional Mahila Court (Magisterial Level), Madurai.

2.The petitioners herein are the respondents 2 to 4 in D.V.C.No.40 of 2024, before the trial Court. The respondent herein has filed D.V.C.No.40 of 2024, before the learned Additional Mahila Court (Magisterial Level), Madurai, 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 mother-in-law, second petitioner is the father-in-law and the third petitioner is the brother-in-law of the first respondent herein and they are in no way connected with the allegations made by the first respondent in the DVC 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.



C.R.P.(PD)(MD).No.1728 of 2024

WEB COPY

4.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 first 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, appearance of the petitioners 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.



C.R.P.(PD)(MD).No.1728 of 2024

WEB COPY

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

08.07.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
ta

To

1. The Additional Mahila Court (Magisterial Level),
Madurai.
2. The Section Officer,
Vernacular Records,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



C.R.P.(PD)(MD).No.1728 of 2024

M.DHANDAPANI,J.

ta

C.R.P.(PD)(MD)No.1728 of 2024

08.07.2025