



C.R..P.(MD).No.2168 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

C.R.P(MD)No.2168 of 2025

and

CMP (MD) Nos.12740 and 12741 of 2025

1. Haider Ali

2. Mumthaz

... Petitioner(s)

Vs.

1. K.H.Mohammed Masthan

2. M.A.Nusrat Juvairiya Fatima

... Respondent(s)

PRAYER: Civil Revision Petition - filed under Article 227 of Constitution of India, to Struck off the petition in D.V.C.No.42 of 2025, on the file of the Judicial Magistrate Court No-5, Tirunelveli by allowing this revision.

For Petitioner : Mr.H.Arumugam

ORDER

This Civil Revision Petition is filed for a direction to Struck off the petition in D.V.C.No.42 of 2025, on the file of the Judicial Magistrate Court No-5, Tirunelveli, by allowing this revision.



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2. The petitioners herein are the parents of the first respondent and in-laws of the second respondent. The second respondent herein has filed D.V.C.No.42 of 2025, before the learned Judicial Magistrate No.V, Tirunelveli, under the provisions of the Domestic Violence Act.

3.The learned counsel appearing for the petitioners submits that the second respondent has initiated domestic violence proceedings against her husband/first respondent and the petitioners. It is submitted that the petitioners are the parents of the first respondent and they are in no way connected with the allegations made by the second 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.

4.Since no adverse order is going to be passed as against the respondents, notice to them is dispensed with.



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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 him to appear on those days.

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

07.08.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
PKN



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



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M.DHANDAPANI,J.

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