



C.R.P.(MD)No.2016 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.07.2025

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THE HON'BLE MR. JUSTICE M.DHANDAPANI

C.R.P.(MD)No.2016 of 2023
and
C.M.P.(MD)No.10077 of 2023

1. Sharmila
2. Sevanam
3. Sikkanthar
4. Saliya
5. Kathija Banu
6. Rosi @ Rosilabanu

...Petitioners

Vs.

1. T.Roja Banu
2. Mohammed Rafi
3. Mumtaj
4. Kasim
5. Yasar Arabath
6. Sheik Thawood
7. Yasmin
8. Sasi

...Respondents



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PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, praying to strike off the petition in D.V.C.No.73 of 2023 on the file of the Judicial Magistrate, Additional Mahila Court, Madurai and quash the proceedings in so far as the petitioners herein.

For Petitioners : Mr.S.Gokulraj

For Respondents : No appearance

ORDER

This petition has been filed seeking to strike off the impugned proceedings in D.V.C.No.73 of 2023 on the file of the Judicial Magistrate, Additional Mahila Court, Madurai.

2.The petitioners herein are the respondents 5 to 8, 10 and 13 in D.V.C.No.73 of 2023, before the trial Court. The first respondent herein has filed D.V.C.No.73 of 2023, before the Judicial Magistrate, Additional Mahila Court, 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 sister-in-law of the first



respondent, the second petitioner is the grandma, the third petitioner is the paternal uncle, the fourth petitioner is the paternal aunty, fifth and sixth petitioners are the aunts of the first respondent's husband 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.

4.Inspite 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



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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.

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

04.07.2025

Internet: Yes/No

Index: Yes/No

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To

1. The Judicial Magistrate,
Additional Mahila Court,
Madurai.
2. The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI, J.

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