

C.R.P.(MD)No.1925 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.07.2025

WEB COPY

CORAM

THE HON'BLE MR. JUSTICE M.DHANDAPANI

C.R.P.(MD)No.1925 of 2023

and

C.M.P.(MD)No.9615 of 2023

1. Muthu Pillai

2. Ravindran

...Petitioners

Vs.

1. R.Booma Devi

2. Minor Abarna

3. Minor Ajitha

4. Minor Abjitha

...Respondents

(Respondents 2 to 4 are minors,
represented through their mother
Mrs.Booma Devi)

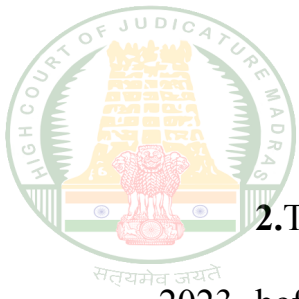
PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, praying to strike off the Domestic Violence Proceedings in D.V.C.No.9 of 2023 on the file of the learned District Munsif Court-cum-Judicial Magistrate, Ilayankudi against this petitioners and the same as abuse of process of law by allowing this Civil Revision Petition.

For Petitioners : Mr.P.R.Boomi Rajan

For R1 : No appearance

ORDER

This petition has been filed seeking to strike off the impugned proceedings in D.V.C.No.9 of 2023 on the file of the learned District Munsif Court-cum-Judicial Magistrate, Ilayankudi.

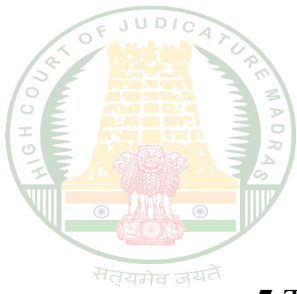


C.R.P.(MD)No.1925 of 2023

2.The petitioners herein are the respondents 2 and 3 in D.V.C.No.9 of 2023, before the trial Court. The respondents herein have filed D.V.C.No.9 of 2023, before the District Munsif Court-cum-Judicial Magistrate, Ilayankudi, under the provisions of the Domestic Violence Act.

3.The learned counsel appearing for the petitioners submits that the first respondent along with her minor children has initiated domestic violence proceedings against her husband and her in-laws. It is submitted that the first petitioner is the father-in-law and the second petitioner is the mother-in-law of the first respondent 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 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.



C.R.P.(MD)No.1925 of 2023

WEB COPY

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 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

ta



WEB COPY



C.R.P.(MD)No.1925 of 2023

To

- 1.The District Munsif Court-cum-Judicial Magistrate,
Ilayankudi.
- 2.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



C.R.P.(MD)No.1925 of 2023

M.DHANDAPANI, J.

ta

C.R.P.(MD)No.1925 of 2023

04.07.2025