



C.R.P.(MD)No.2868 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.07.2025

CORAM

THE HON'BLE MR. JUSTICE M.DHANDAPANI

C.R.P.(MD)No.2868 of 2023

and

C.M.P.(MD)No.15381 of 2023

1.Palaniammal
2.Andal
3.Swarnamughi

...Petitioners 1,2,3/Respondents
2,3 & 4

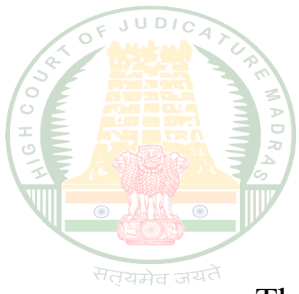
Vs.

1.Vaidehi
2.Dhanusri
3.Rajeshkannan

... Respondent Nos.1 & 2/Petitioner
... Respondent No.3/Respondent No.1

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to call for the records and strike off the complaint in DVC No.13/2023 passed by the learned Judicial Magistrate, Thiruvaiyaru, Thanjavur District and allow the above Civil Revision Petition.

For Petitioners : Mr.B.Jameel Arasu
For R1 & R2 : No appearance
For R3 : abated



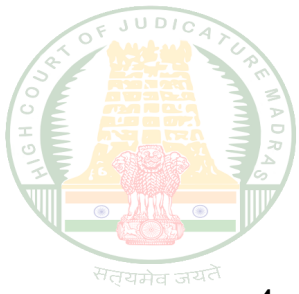
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ORDER

WEB COPY This petition has been filed seeking to strike off the impugned proceedings in D.V.C.No.13 of 2023, on the file of the Judicial Magistrate Court, Thiruvaiyaru, Thanjavur.

2.The petitioners herein are the respondents 2,3 & 4 in D.V.C.No.13 of 2023, before the trial Court. The first respondent herein has filed D.V.C.No.13 of 2023, before the Judicial Magistrate Court, Thiruvaiyaru, Thanjavur District, under the provisions of the Domestic Violence Act and BNSS, 2023.

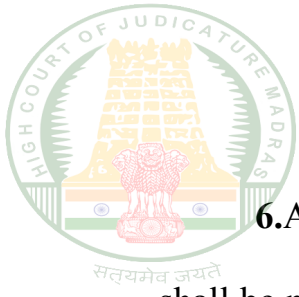
3. The learned counsel appearing for the petitioners submitted that the petitioners are the in-laws of the first respondent. The first respondent has initiated domestic violence proceedings against her husband and her in-laws. It is submitted that the petitioners are in no way connected with the allegations made by the first respondent in the DVC case and though the husband of the first respondent is ready and willing to live with the first respondent, it is only the first respondent who is not coming to live with him and has initiated the present 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.



WEB COPY

4. In spite of issuance of notice, there is no representation for the respondents 1 & 2. However, in view of the nature of the order which this Court is going to pass, which in no way affects the respondents 1 & 2, representation on behalf of the respondents 1 & 2 is not necessary. The learned counsel for the petitioners would submit that the third respondent died. Hence, the Civil Revision Petition is dismissed as abated as against the third 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, 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.



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

07.07.2025

Internet: Yes/No

Index: Yes/No

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To

- 1.The Judicial Magistrate,
Thiruvaiyaru, Thanjavur
- 2.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI, J.

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