

C.R.P.(MD)No.2376 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.07.2025

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CORAM

THE HON'BLE MR. JUSTICE M.DHANDAPANI

C.R.P.(MD)No.2376 of 2023

and

C.M.P.(MD)Nos.12237 & 12238 of 2023

1.K.Purusothaman,
2.Franklin Dathy,
3.Chitra Franklin,
4.K.Sutha,
5.K.Bharathidasan,
6.B.Rekha

...Petitioners

Vs.

P.Divya

...Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, praying to call for the entire records pertaining to the petition filed by the petitioner in D.V.C.No.29 of 2022 on the file of Additional Mahila Court, Thanjavur, and strike off the same.

For Petitioners : Mr.S.Santhi Babu

For Respondent : Mr.T.A.Punithan



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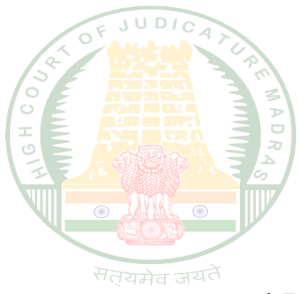
ORDER

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This petition has been filed seeking to strike off the impugned proceedings in D.V.C.No.29 of 2022 on the file of Additional Mahila Court, Thanjavur.

2.The petitioners herein are the respondents in D.V.C.No.29 of 2022, before the trial Court. The respondents herein have filed D.V.C.No.29 of 2022, before the Additional Mahila Court, Thanjavur, under the provisions of the Domestic Violence Act and BNSS, 2023.

3.The learned counsel appearing for the petitioners submits that the first petitioner is the husband of the 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 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.

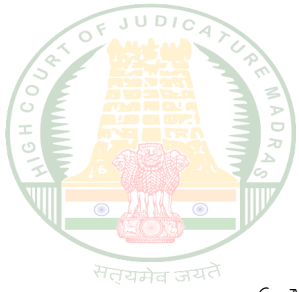


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4.Learned counsel appearing for the respondent submits that if this Court is inclined to dispense with the appearances of the petitioners, this Court may impose requisite conditions to see to it that the presence of the petitioners at the times, during 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 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 dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

04.07.2025

Internet: Yes/No

Index: Yes/No

MR



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To

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



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M.DHANDAPANI, J.

MR

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