



C.R.P.(MD)No.2467 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.07.2025

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THE HON'BLE MR. JUSTICE M.DHANDAPANI

C.R.P.(MD)No.2467 of 2023

and

C.M.P.(MD)Nos.12881 & 12883 of 2023

- 1.Shek Alavudeen
- 2.Vellaparangi @ Madhina
- 3.Sabina

...Petitioners/Respondents
1 to 3

Vs.

- 1.Narkisbanu
- 2.Minor.Thasmangani
(minor second respondent
represented through her
mother first respondent)

...Respondents

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, praying to strike off the petition in DVC No.1 of 2022 dated 29.12.2021 on the file of the learned Judicial Magistrate, Aranthangi, Pudukottai District.

For Petitioners : Mr.S.M.A.Jinnah

For Respondents : No appearance



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ORDER

This petition has been filed seeking to strike off the impugned proceedings in D.V.C.No.1 of 2022, on the file of the learned Judicial Magistrate Court, Aranthangi, Pudukottai District.

2.The petitioners herein are the respondents 1 to 3 in D.V.C.No.1 of 2022, before the trial Court. The first respondent herein has filed D.V.C.No.1 of 2022, before the Judicial Magistrate Court, Aranthangi, Pudukottai District, under the provisions of the Domestic Violence Act and BNSS, 2023.

3. The learned counsel appearing for the petitioners submit that the first petitioner is the husband of the first respondent and the third petitioner is the sister-in-law of the first respondent and the second petitioner is the President of the Jamath. The first respondent has initiated domestic violence proceedings against the first petitioner 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 first petitioner is ready and willing to live with the first respondent it is only the 1st respondent who is not coming to live with him and



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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.

4. In spite 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 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 petitions are closed.

07.07.2025

Internet: Yes/No

Index: Yes/No

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To

- 1.The Judicial Magistrate,
Aranthangi, Pudukottai District.
- 2.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI, J.

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