



C.R.P.(PD)(MD)No.2588 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 28.08.2025

CORAM

THE HON'BLE MR. JUSTICE M.DHANDAPANI

C.R.P.(PD)(MD)No.2588 of 2024

and

C.M.P(MD)Nos.14950 of 2024 & 14019 of 2025

1.C.Renugadevi

2.C.Sharmila

3.C.Saranya

.. Petitioners

Vs

1. K.Gayathri

2.Minor K.Dhanyasri

3.Minor K.Sairudhra

4.Minor K.Sangamithra

5.C.Kishore Kumar

.. Respondents

[The minor respondents 2 to 4 are represented by their mother/1st respondent herein]

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, to call for the records pertaining to the petition in D.V.C.No.42 of 2024 on the file of the learned Additional Mahila Court, Ramanathapuram and strike off the same.



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For Petitioner : Mr.V.Kishore Kumar

For Respondents : Mr.B.Mahendra Rajan
for R1 to R4

ORDER

This revision petition has been filed challenging the fair and decreetal order made in O.A.No.44 of 2022 dated 05.08.2022 on the file of the Tamilnadu Waqf Tribunal at Chennai.

2. The first petitioner is the mother-in-law and the second and third petitioners are the sister-in-laws of the first respondent herein/complainant. The first respondent made frivolous allegations against the petitioners and filed domestic violence case before the trial Court and further the second and third petitioners married before 20 years and they are living separately. They are not sharing the relationship in between the first respondent and her husband/5th respondent.

3. However, without any domestic relationship in between the petitioners and the first respondent, the first respondent vexatiously filed a domestic violence case as against the petitioners is not sustainable one and further after the 5th respondent filed a divorce petition as against the first



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respondent. Hence, as a counter blast, the present DVC proceedings was initiated against the in-laws. It is further submitted that the petitioners 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. Per contra, the learned counsel for the first respondent submitted that the petitioners and the 5th respondent were suppressed their earlier marriage and wantonly performed the marriage with the first respondent for which the first respondent is blessed with three minor child. Even thereafter the petitioners and the 5th respondent harassed the first respondent and children. Thereby domestic violence case was instituted as against the petitioners. All these issues are triable issues which cannot be decided under Article 227 of the Constitution of India. Accordingly, he prayed for dismissal. He further submitted that if this Court is inclined to dispense with the appearance 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



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respondent.

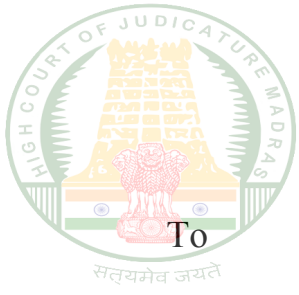
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5.This Court, taking into consideration the submission made by the learned counsel for the petitioner, permits the petitioners to raise all the grounds as raised herein before the trial court at the time of trial. Taking into consideration the request 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.

28.08.2025

Internet :Yes/No
Index :Yes/No
NCC :Yes/No
PJJ



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1.The Additional Mahila Court,
Ramanathapuram

2.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI, J.

PJL

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