

IN THE PRINCIPAL COURT OF SESSIONS AT CHENNAI

**Present: Thiru.S.Karthikeyan, M.A., M.L., M.Sc., PGDCFS.,
Principal Sessions Judge.**

Saturday, the 5th day of April, 2025.

CrI.M.P.No.01/2025

in

C.A.No.448/2025

Ramachandran

...Petitioner / Appellant /
2nd respondent

Vs.

R.Vijaya

...Respondent / Respondent
/ Petitioner

This petition came on this day before this court for hearing in the presence of M/s.C.R.Malarvannan, T.Vijayakumar and Dhilip Roshan.O.G., the counsel for the petitioner / appellant and upon hearing him and upon perusal of case-records, this Court delivered the following:

ORDER

1. Petition for say.

2. The learned counsel for the petitioner submitted that the trial court, without rendering any finding to the happenings of the domestic violence, has directed the brother-in-law to pay monthly maintenance of Rs.1,00,000/- p.m. and litigation cost of Rs.20,000/- The jurisdiction of the Magistrate under the Domestic Violence Act can be exercised only there are domestic violence. In the absence of any domestic violence, the victim cannot claim any right or relief under the said Act. The direction to pay maintenance would presuppose the findings that there was domestic violence suffered by the victim. There appears prima facie case in favour of the petitioner. Hence, interim stay is granted till 28.4.2025. Notice to respondent.

Dictated to Stenographer, transcribed by him, corrected and pronounced by me in the open Court, this the 5th day of April, 2025.

PRINCIPAL SESSIONS JUDGE.