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Court as a Site of Reconciliation or Reparation: An Explorative Study through Tamil Film Narratives

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Abstract: This paper explores the nuanced representation of the Indian judiciary in Tamil cinema, with special emphasis on its role as a mediator in marital reconciliation or reparation. The study traces ways by which cinematic narratives play a pivotal role in informing, influencing and often shaping public knowledge and understanding of reconciliation, divorce and post-separation consequences like child custody. Through an interdisciplinary framework combining literary analysis and legal theory the research highlights how these films shape human behaviour through their representations and depictions that are often in alignment with the Hindu Marriage Act (1955).

While the judiciary is often depicted as a site of benevolence advocating marital unity, contemporary cinema paints a trivialised image of the procedural and emotional gravity of divorce. More importantly the paper also interrogates how issues like child custody, alimony and maintenance are either sidelined or selectively represented, leading to a public perception that overlooks the legal loopholes and potential weaponisation of such provisions. With increasing reports of false claims, prolonged litigation and gendered financial exploitation, there is an urgent need to question and hold accountable the media's role in either romanticising or completely ignoring the lived consequences of such legal battles.

Additionally, the study explores how linguistic choices and character arcs subtly reinforce cultural expectations surrounding gender roles, financial dependency and moral judgement. By situating Tamil cinema within the broader discourse of cultural legal studies, analysis of these films shows that media reshapes societal notions of familial duty, law and justice. The findings suggest that filmmakers could depict reconciliation or separation and post-marital rights with greater legal realism thereby alleviating the vulnerabilities in contemporary Indian society.

Keywords: Marital reconciliation, Legal consciousness, Child custody, Popular cinema, Film narratives.

1. Introduction:

Courts are commonly imagined as sites where disputes are concluded, verdicts are delivered and relationships are either restored or dissolved with legal authority. Tamil popular cinema goes one step further to complicate this imagination by depicting the courtroom as a moral theatre where law, emotions and social status meet at crossroads. Especially in marital disputes,



the courtroom is deemed as a site where strained familial bonds are restored and one that recognizes and takes necessary measures when there is an irreparable breakdown. This dual role, reconciliation vs reparation(separation) is central to how the audience internalise the function of law in marriage.

In India the family law ecosystem explicitly encourages reconciliation. The Family Courts Act (1984) mandates an ethos of counselling and settlement over immediate separation, while the Hindu Marriage Act (1955) structures procedures of restoration of conjugal rights (section 9), judicial separation and divorce with mutual consent (section 13B). Tamil cinema mirrors, reduces or dramatizes these provisions. Judges are often scripted as wise elders, courtrooms as civil spaces of melodramatic dialogues and the legal process by itself as a moral test. These representations also compress time, simplify procedure and amplify sentiment thereby raising serious questions about what the audience actually learn about law and what they feel about it. Despite substantial academic discussions on gender roles and family narratives in Indian cinema, very few studies isolate the court as a narrative device within Tamil films that deal specifically with marital conflict. This research aims at addressing the gaps by asking: Do cinematic courts mainly motivate and channelise couples towards reconciliation, or do they legitimate separation as an ethical and sometimes as a reparative remedy? Furthermore the paper explores how dialogues and character arcs in film narratives instruct viewers about legal consciousness.

Thesis: Tamil cinema constructs the courtroom as a culturally legible space that has a moral oscillation between reconciliation and reparation (separation as a solution or repair); this oscillation both reflects and shapes public legal consciousness, often emphasising on emotions over the legal complexity of the process.

Objectives of this research paper are to identify narratives of legal marital disputes, to classify outcomes are reconciliation-oriented, separation-affirming, or hybrid, to examine how alimony, child custody and maintenance are framed or omitted and to reflect on implications for media literacy and legal perception.

2. Literature Survey and Review:

Family courts in India are designed to be less adversarial and more conciliatory in nature, compared to other civil litigations. Specialised family courts bring in marital counsellors, in-camera proceedings and flexible procedures to encourage settlement prior to dissolution of the marriage. This ethos stems from the assumption that the family is the basic unit of a society and a primary site of social stability. Scholars of Indian family law have discussed the tension and challenges that arise in the process of preserving marital bonds while respecting and upholding individual autonomy, especially for women seeking exit from harmful relationships. Notably for men trying to leave harmful relationships the procedure is all the more challenging and time consuming. The court as a site of justice thus balances three imperatives: marital endurance, personal dignity and procedural fairness.

In reality, conciliation can both empower and burden the parties involved. It may offer time for reflection and de-escalation on the one hand but also prolong the proceedings and passively enforce social pressure to 'adjust'. Alimony, child custody and maintenance are also crucial when discussing marital justice. It is assumed that the above is used in good faith and not as means of revenge and extortion. But most of these issues are either neglected or selectively portrayed in popular cinema. Public understanding of law is therefore heavily influenced by the media.

2.2 Cinema as legal pedagogy and ideological apparatus



Film scholars and social theorists recognise popular cinema as a potent pedagogical force. On screen, law is dramatized: Judges are archetypal, advocates become a voice for morality, and the courtroom a ritualised space. As in Deiva Thirumagal (2011) the dramatization does not merely entertain; it shapes expectations. Most audiences who have never been to a court in real life may conflate cinematic procedures with legal reality, internalising views about what courts 'should' do especially in intimate matters. Thus, legal consciousness emerges less from academia and more from collectively consumed narratives.

2.3 Tamil family melodrama and the courtroom

Tamil cinema's family narratives frequently engage the court to counter moral ambiguity and produce justice. In melodramas and social dramas, the court is no longer a legal forum but a site for building narratives. As a site for confession, remorse and revelation the court is elevated to look into the woes of the human conscience. Earlier films especially from the late 20th century tend to lean more towards reconciliation, offering moral guidance that upholds familial bonds over autonomy. The 21st century filmography saw a shift towards how it approached familial matters. Several films validated separation, autonomy, and pragmatic closure without compromising respect for marriage as an institution. While other set of films also pushed for radical shifts without considering the sensitivity of the issue in hand. This shift reflects broader cultural transitions like changing gender roles, urbanisation and the increasing acceptance of alternatives to traditional marriage. "Getting divorced with a kid is one of the hardest things... It's like a death without a body." (Noah Baumbach)

2.4 Gaps and present intervention

Existing literature has rich documentation of gender representation, patriarchal norms, and familial ideology in Indian cinema. However, the function of the courtroom in shaping marital resolution and viewers expectations has received less focused attention. This study contributes by tracing courtroom outcomes across a purposive sample, analysing how legal elements like conciliation, custody, alimony etc are narrated or omitted.

3. Theoretical Framework and Methodology:

3.1 Theoretical framework

By employing legal semiotics, the research aims to read and analyse the court architecture, language, robe and spatial setup as symbols of authority. In Tamil films, the courtroom has an elevated dais for the judge and the arrangement of counsels and litigants visually encodes authority and civility. Semiotic reading emphasises how the court 'looks' like a place of order and thus 'feels' like a site where justice is upheld.

Through narrative analysis the research attends to plot structure, turning points and character arcs. In cinematic marital disputes the court is often a site where revelations happen and the protagonists confront moral dilemmas. The placement of dialogues and music cues help pull the audience towards either reconciliation or ethical separation.

Following Hans Robert Jauss's Reception theory which emphasises on the active role of the viewers in interpreting media text, the research would attempt to treat viewers as active interpreters. Viewers aren't passive observers but use their cultural background and personal experiences to give meaning to what they view. In the context of Tamil cinema's take on marital estrangement, a single film may be viewed differently by different audiences. For some it might be a simple romantic film, whereas for some it may be a film that challenges existing traditional norms. Much of these interpretations and understandings stem from the individual's gender, socio-economic background and the generation that they belong to. This interpretive flexibility is central to get a comprehensive view of how different individuals understand a given visual.



3.2 Methodology

The qualitative study deploys a purposive sampling of Tamil films that depict marital conflict and carry significant cultural reach. The list of films includes *Mouna Ragam* (1986), *Avvai Shanmugi* (1996), and *Deiva Thirumagal* (2011). For each film, key elements were analysed across three axes: procedural framing (counselling, time), outcome orientation (reconciliation-leaning, separation-affirming, hybrid), and treatment of collateral issues (alimony/maintenance, custody, property, safety).

The analysis combines close reading with thematic patterning. The goal is to logically understand what the films teach about courts and marriage. Findings are discussed with sensitivity towards the film's production context and genre expectations.

4. Analysis and Discussion:

Mani Ratnam's *Mouna Ragam* remains a touchstone for the reconciliation arc. The young protagonist Divya seeks divorce resulting from a traumatic romantic past and an arranged marriage to Chandrakumar which she never fully consented for. Although the courtroom presence in the film is minimal it is symbolically expansive. The very possibility of judicial dissolution becomes a countdown timer within which the couple negotiates intimacy. The legal process is depicted as patient but firm so as to facilitate reflection rather than rushing to a conclusion. Judges and advocates are almost invisible, yet the court's moral gravity is felt in the domestic scenes, bringing out the nuances of an estranged relationship through pauses, silences and deferred decisions. Mani Ratnam, deploys close-ups and prolonged silence to emphasise the 'court of conscience.' Chandrakumar's steady patience paired with Divya's evolving self-awareness reframes reconciliation as an autonomous decision rather than one that is enforced. The court and its legal proceedings act as the backdrop wherein genuine conversations and interpersonal understanding is born. The movie implies that time, empathy and dignity are prerequisites for reconciliation where the judge's role is that of facilitating, not imposing.

While comedic in tone, *Avvai Shanmugi* locates its central conflict within the legal realities of separation and custody. The protagonist's heavily disguised persona is an outcome of the constraints of court-mediated access to his daughter. Beneath the layers of humour lies a genuine commentary of the legal system, which by wanting to safeguard a child's wellbeing can also inadvertently estrange a loving parent. In India, custody rights are governed by both personal and secular laws *Guardians and Wards Act*, 1890. According to the Hindu Minority and Guardianship Act, 1956, children under the age of five are automatically placed under the custody of the mother. While the *Guardians and Wards Act*, provides the court the authority to provide custody of the child based on factors such as education and safety. Increasingly, Indian courts are beginning to consider joint custody and structured visitation recognising the psychological benefits of maintaining a strong relationship with both parents. Though the movie does not demonise the role of the court, it sure brings out the insufficiency of the court in meeting the emotional needs of the family. The law follows statutory norms whereas the protagonists action goes a step further to show the full reality of caregiving and attachment. Thus, the film *Avvai Shanmugi* critiques the prevailing legal systems and leaves the audience wondering if the emotional and psychological dimensions of the parent-child relationship is taken care of. "The welfare of the child, and not the rights of the parents, is the paramount consideration." (*Gaurav Nagpal v. Sumedha Nagpal*, § 11)

The 2011 film, *Deiva Thirumagal* presents a deeply emotional exploration of child custody through the story of Krishna, a man with the mental capacity of a toddler. Krishna fights to retain guardianship of his child, Nila, after the death of his wife. The legal battle becomes the



central narrative within detailed portrayal of courtroom proceedings, making the judiciary an active element in the story. In India both personal and secular laws prioritise the 'welfare of the child.' Courts assess factors such as the parent's ability to provide physical, financial and emotional safety in a stable environment. In situations involving a mentally challenged parent, the court prioritises practicality over emotions. As seen in the case of *Gaurav Nagpal v. Sumedha Nagpal* (2009), the court reiterates that custody is not only about parental rights but of the child's 'best interest.' In the film the court is portrayed as empathetic but still bound to its legalities. The judge initially gives custody of the child to the maternal relatives, but upon understanding the bond between the father and the child the entire court is moved by the intense gravitation of emotions. Thus, leading to the withdrawal of the case from the maternal relatives and the court providing custody to the father. The film highlights the possibility of how legal systems can accommodate compassion within their frameworks, but they also operate under structural limitations. By contrasting statutory principles with human emotions, the film does justice in bringing out the necessity to understand 'welfare' as not merely material provision but the need for parental love and presence. "In all actions concerning children, the best interests of the child shall be a primary consideration." United Nations Convention on the Rights of the Child, Article 3 (1989).

5. Results and Findings:

Earlier influential films tend to push conciliation through the narrative. Time is extended, tempers cool and court's counselling helps scaffold the emotional damage. Judges are scripted as wise elders who try to preserve marriage when safety and dignity permit.

More recent films take a balanced approach, both in terms of reconciliation and reparation. Child custody is looked at with more empathy than with yesteryear cinema where the role and the importance of both the parents for the child's wellbeing was not discussed in great detail. Under articulation of legal specifics like alimony, maintenance, child custody etc make it incomplete for the viewers as they may empathise but misunderstand procedure.

Overall, courts in Tamil cinema perform a moral pedagogy where reconciliation is facilitated wherever possible. It emphasises and conveys values more than the procedures, shaping legal consciousness through sentiment and archetype rather than through process literacy.

Three closing proposals stem from the analysis. First, filmmakers can hold on to their dramatised versions while still doing justice to the legal system by consulting wherein necessary. Second, legal institutions can emphasise on the use of popular narratives for public education. This can be done through educational videos as well as short films. And third, academicians should continue to read courts on screen as indicators of social change. In a country where cinema is both art and public pedagogy, how courts are seen profoundly shapes how the viewers imagine justice. Therefore, representations that are anchored in consent, safety and fairness can help model a civic culture where the court is seen as a forum for humane decisions. "Narrative discourse constructs empathy; the spectator identifies with the parent who nurtures, even if societal norms oppose them." (Gunning 423)

6. Implications:

These films have helped normalise the conversations around marital conflict and its lawful resolution. Reconciliation- leaning narratives reiterate on the importance of patience and mutual regard while separation-affirming narratives emphasize on autonomy and the need for individual consent. By ignoring alimony and custody, films mislead viewers about legal complexity. For example, swift conclusions, painless settlements and oversimplified narratives would frustrate litigants when real proceedings prove slower and more complex.



Law faculties and film institutes could work together to create discourses rooted in reality. Script consultation with counsellors can enrich the depiction of legal proceedings, child welfare inquiries and law enforcement. Educational stakeholders can also adapt film clips for classroom teaching on topics such as consent, conflict resolution, and child-centric divorce practices. This helps teach empathy regarding marital issues. "Narrative empathy is the sharing of feeling and perspective-taking induced by reading, viewing, hearing, or imagining narratives of another's situation and condition." (Keen)

Scholarly implications include how film and socio-legal studies can use the courtroom as a productive lens for mapping cultural change. Comparative analyses across different regional films can show the variations in reconciliation and separation ethics. Finally, by integrating gender analyses, the role of wives and husbands and their agency in marriage can be understood.

7. Limitations and Future Research:

This study focuses on a small, purposively selected list of films because the research aims to be brief and culturally rooted. Some films show the courtroom as a site where in other films the court is discussed symbolically. The research method does not quantify trends across decades nor does it directly measure the audience's learning outcomes. Further research could test these ideas on much recent films and films from regions with matriarchal marriage structures, reception studies through surveys and interviews to measure how viewers interpret court scenes, industry interviews with filmmakers, advocates, judges and counsellors, a comparative regional analyses to understand the similarities and differences in court ethics across the country. Finally, analysis of alimony narratives may reveal how cinema simplifies financial justice.

8. Conclusion:

Tamil cinema's court is neither a mere backdrop nor a technical stage but an arena where law and life meet at crossroads. These analyses show how films construct courts as sites of reconciliation, separation and child custody determination. The cinematic compression or oversimplification of legal complexities remains a double-edged sword. It humanises litigants but also erases the nuances around issues such as child custody, because viewers learn about courts from films, and misrepresentation shapes real expectations. In a nation where cinema introduces countless citizens to the idea of justice long before the courtroom does, the integrity of the representation is itself an act of justice.

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