

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 30-06-2015

CORAM:

THE HONIOURABLE MR. JUSTICE P.N. PRAKASH

CRL.O.P.No.4136 of 2015

Mrs. R. Sangeetha

Petitioner

Vs.

1. Senthil Kumar.K.

2. Kannappan.K.

3. K. Sankari

Respondents

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the trial Court to follow the Domestic Violence Act Provisions strictly and dispose the unnumbered C.M.P.No. of 2014 within a period described by the Act and pass orders.

For petitioner :: Mr. D.S. Ramesh

ORDER

On 07-04-2015, this Court passed the following order:

"This petition has been filed seeking direction to the Trial Court to dispose of the unnumbered C.M.P.No. ... /2014.

The learned counsel for the petitioner submits that the petitioner filed a petition under the D.V. Act before the learned Judicial Magistrate, Thiruvotriyur on 14.10.2014 and the sworn statement was recorded on 09.04.2015. Even thereafter, it is the grievance of the petitioner that her petition has not been numbered by the learned Judicial Magistrate. Hence, a report may be called for from the learned Judicial Magistrate, Thiruvotriyur as to the reasons for not numbering the petition filed by Ms. S.R. Sangeetha, D/o. A. Rangarajan, under the provisions of the D.V. Act.

Post after two weeks i.e. on 21-04-2015."

2. The learned Judicial Magistrate, Thiruvotriyur has sent a report dated 08-05-2015, wherein it is stated as follows:

"I humbly submit that the petitioner M/s. S.R. Sangeetha, has filed petition u/s 12 of the Protection of Woman from Domestic violence Act 2005 on 14.10.14. The Petitioner is absent for several hearings and no representation on behalf of the petitioner in the above matter post for awaiting records from the Protection Officer call on 11.05.15.

The above case has been numbered MC.9/15, dated 8.5.15. The next hearing date is 11.5.15 awaiting report from the Protection Officer. Kindly accept my explanation and oblige."

3. The explanation offered by the learned Judicial Magistrate is accepted and the petitioner is directed to appear before the learned Judicial Magistrate, Thiruvottiur in M.C.No.9 of 2015 and take part in the proceedings. The learned Judicial Magistrate is directed to expeditiously conduct the enquiry in M.C.No.9 of 2015, in accordance with law.

4. The petition is ordered accordingly.

glp

s/d-
Deputy Registrar(J)

True Copy

Sub-Assistant Registrar

To

1. The Judicial Magistrate,
Thiruvottriyur.
2. The Chief Judicial Magistrate,
Thiruvallur.

+ 1 cc to Mr.D.S.Ramesh, Advocate SR 32313

gj(co)
prk16/7

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