

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.40881 of 2016

ORDER:

This writ petition is filed seeking to set aside the DVC No.41 of 2016, on the file of Special Mobile Court, R.R. District-cum-XI Metropolitan Magistrate, Cyberabad, at L.B. Nagar, Hyderabad, as the same being illegal and unjust.

Heard and perused the material available on record.

The grievance of the petitioners is that the 3rd respondent filed a complaint, dated 03.09.2016, before the 2nd respondent alleging that the petitioners caused domestic violence on her and that on the basis of the said complaint, the 2nd respondent has filed Domestic Violence report before the learned Magistrate in Form-I under Protection of Women from Domestic Violence Act and Rules framed thereunder.

After arguing for some time, when this Court informed that the Court is not inclined to interfere with the proceedings before the concerned Court by invoking the writ jurisdiction, then the learned counsel for the petitioners confined his arguments only in connection with the presence of the petitioners before the concerned Court.

Considering the facts and circumstances of the case and as the matter arises out of matrimonial dispute and the question of identity of the persons also not in dispute, the presence of the petitioners before the concerned Court is dispensed with except on the dates insisted by the concerned Court. The petitioners shall be properly represented through their counsel before the concerned Court.

Accordingly, the Writ Petition is disposed of. No costs. Pending Miscellaneous Petitions, if any, shall stand closed.

RAJA ELANGO,J

Date: 25th November, 2016
KL