

HON'BLE SRI JUSTICE RAJA ELANGO

Writ Petition No.45925 of 2016

ORDER :

The Writ Petition is filed under Article 226 of the Constitution of India seeking to issue a writ or order, more particularly one in the nature of writ of *Certiorari* calling for the records relating to and in connection with D.V.C. No.30 of 2016 on the file of the Judicial First Class Magistrate, Kadapa, Kadapa District and quash the same against petitioners who are arrayed as respondent Nos.1, 3 and 4 in the said case for the alleged offences under the provisions of Protection of Women from Domestic Violence Act, 2005 as illegal and arbitrary.

Heard the learned counsel for petitioners and the learned Assistant Government Pleader for Home and **perused** the material available on record.

On a perusal of the record, this Court is of the view that truth or otherwise of the allegations made against the petitioners can be decided only after due trial. Hence, this Court is not inclined to interfere with the proceedings against petitioners.

In any event, considering the nature of allegations wherein the question of identity of petitioners-respondent Nos.1, 3 & 4 does not arise, presence of petitioners on each and every hearing before the trial Court is dispensed with, but they shall appear before the trial Court when the trial Court insists for their appearance for any specific purpose.

Accordingly, the Writ Petition is disposed of. Miscellaneous petitions pending in this petition, if any, shall stand closed.

JUSTICE RAJA ELANGO

28.12.2016
skmr

