

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.208 of 2016

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, came to be filed seeking to call for the records in DVC No.5 of 2014 on the file of the Judicial First Class Magistrate's Court, Anaparthi, East Godavari District, and quash the same insofar as petitioners are concerned.

Heard the learned counsel for the petitioners as well as the learned Assistant Government Pleader for Home for R-1 and R.2. With their consent, the Writ Petition is disposed of at the stage of admission itself.

Though various grounds are raised in the writ petition, the learned counsel for the petitioners restricts his prayer, seeking dispensation of appearance of the petitioners before the Court below.

On 05.01.2016 while admitting the Writ Petition, this Court dispensed with the presence of the petitioners before the Court below in DVC No.5 of 2014, pending further orders.

As seen from the record, the third respondent herein filed DVC No.5 of 2014 against petitioners and another seeking reliefs under the provisions of Protection of Women from Domestic Violence Act. There is no dispute of the fact that the petitioners are parents-in-law and unmarried sister-in-law of R-3 herein. As such, the question of identity of the petitioners does not arise. Therefore, the request of the petitioners, for dispensation of their appearance before the Court below can be considered.

Accordingly, the Writ Petition is disposed of dispensing with the presence of the petitioners before the Court below in connection with DVC No.5 of 2014, on each and every adjournment. However, the petitioners shall appear before the Court below as and when their presence is required by the Court below.

Miscellaneous petitions pending in this writ petition, if any, shall stand closed. No costs.

C. PRAVEEN KUMAR, J

11.07.2017

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