

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.08.2018

CORAM:

THE HON'BLE MR.JUSTICE P.N.PRAKASH

Crl.O.P. No.4363 of 2018 & Crl.M.P. Nos. 2039 & 2040 of 2018

1 Dr. S.Saravana Selvam
2 S. Subramanian
3 Balakrishnammal Subramanian

Petitioners

Vs.

D. Shilpa

Respondent

Criminal Original Petition filed under Section 482 Cr.P.C., seeking to call for the records relating to D.V.C. No. 23 of 2017 on the file of the Judicial Magistrate, Tambaram and quash the same.

For petitioners Mr. J.Saravana Vel
For respondent Ms. Kanimozhi

ORDER

This Criminal Original Petition has been filed seeking to call for the records relating to D.V.C. No. 23 of 2017 on the file of the Judicial Magistrate Court, Tambaram and quash the same.

2. Shilpa got married to Dr. Saravana Selvam on 21.08.2015 and their marriage ran into rough weather resulting in the spouses getting estranged. Shilpa initiated proceedings in D.V.C. No. 23 of 2017 before the Judicial Magistrate, Tambaram, claiming various reliefs under the Protection of Women from Domestic Violence Act against Dr. Saravana Selvam and others. Challenging the said proceedings, Dr. Saravana Selvam and others are before this Court.

3. During the pendency of this petition, the parties have arrived at a compromise and today, all the parties, including Shilpa, are present.

4. Shilpa has filed an affidavit dated 29.08.2018, wherein, at paragraph no.2, she has stated as under:

"2. I state that myself and the first petitioner herein have compromised all our disputes and we have filed mutual consent petition HMOP No. 504 of 2018 on the file of Sub Court at Poonamallee. I have accepted to withdraw my complaint pending as D.V.C. No. 23 of 2017 on the file of Judicial Magistrate, Tambaram. I have also received a sum of RS. 2,50,000/- in DD No. 315782 drawn on State Bank

of India on the date of filing of the mutual consent petition on 31.07.2018 in view of the compromise arrived at between the parties and the mutual consent petition filed under Sec. 13(b) of the Hindu Marriage Act in HMOP No. 504 of 2018 on the file of Sub Court at Poonamallee.

Therefore, it is respectfully prayed that this Hon'ble Court may be pleased to quash the proceedings in DVC No. 23 of 2017 on the file of Judicial Magistrate, Tambaram and pass such or other orders as this Hon'ble Court may deem fit and proper and thus render justice."

5. In view of the above, the proceedings in D.V.C No.23 of 2017 on the file of the Judicial Magistrate Court, Tambaram, is quashed and as a sequel, this Criminal Original Petition is allowed on condition that the petitioners pay a sum of Rs.1,000/- each (Rs.1,000 x 3 = Rs.3,000/-) as costs to the credit of the Chief Justice Relief Fund (payable in Accounts Section of the High Court Registry), within a period of two weeks from the date of receipt of a copy of this order and file a photocopy of the receipt along with a memo reporting compliance in the Registry. Connected Crl.M.Ps. are closed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

cad/mrm

To

1 The Judicial Magistrate
Tambaram

2 The Public Prosecutor
High Court, Madras
Chennai 600 104

+1cc to Mr.J.Saravanel, Advocate SR.NO.59227

RK(co)

sm:17.9.2018

Crl.O.P. No.4363 of 2018