



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Friday, the Third day of January Two Thousand Twenty

PRESENT

THE HON`BLE MR JUSTICE M.SATHYANARAYANAN

AND

THE HON`BLE MRS JUSTICE R. HEMALATHA

W.P.No.30750 of 2018
and W.M.P.Nos.35895 & 35897 of 2018

SUDHA RAMALINGAM [PETITIONER IN ALL THE PETITIONS]

Vs

1 THE CHIEF SECRETARY [RESPONDENTS IN BOTH THE PETITIONS]
GOVERNMENT OF TAMIL NADU,
FORT ST. GEORGE, CHENNAI-600 009.

2 THE SECRETARY,
SOCIAL WELFARE DEPARTMENT,
FORT ST. GEORGE, CHENNAI-600 009.

3 THE REGISTRAR GENERAL,
HIGH COURT, CHENNAI-600 104.

Writ Petitions under Article 226 of the Constitution of India praying that in the circumstances stated therein and in the respective affidavits filed therewith the High Court will be pleased to issue a Writ of Mandamus directing the 1st and 2nd respondent herein to take necessary measures to implement the mandate under Section 12(5) of the DV Act (Domestic Violence Act) and consequently frame a Court Practice Manual for judicial officers and legal practitioners in a time-bound manner to implement the DV Act in its letter and spirit (WP.30750/2018)

(II) To issue a direction to all the Judicial Magistrates across the State of Tamil nadu to take on file and number all the applications filed under Section 12 of the Act expeditiously without routinely forwarding the same to the Protection Officers, (IN WMP.NO.35895 OF 2018) pending disposal of the above writ petition NO.30750 OF 2018 AND;



(III) To direct the 1st and 2nd respondents to expeditiously appoint Protection Officers under Section 8 of the Domestic Violence Act, 2005 in every Taluk, (IN WMP.NO.35897 OF 2018) pending disposal of the above writ petition NO.30750 OF 2018

Order : These petitions coming on for orders upon perusing the petitions and the respective affidavits filed in support thereof and upon hearing the arguments of M/S.B.POONGKHULALI, Advocate for the petitioner and of MR.AKHIL AKBAR ALI, GOVERNMENT ADVOCATE FOR 1 & 2 Respondents and of Mr.K.Elango, ADVOCATE on behalf of the 3rd Respondents the court made the following order:-

[Order of the Court was made by M.SATHYANARAYANAN, J.]

Heard the submission of the learned counsel appearing for the petitioner who prays for appropriate interim direction directing the jurisdictional Judicial Magistrate to entertain the application filed under Section 12 of the Protection of Women from Domestic Violence Act, 2005, without insisting the production of the report of the Protection Officer and straight away, can be taken on file for passing appropriate orders.

2. Mr.K.Elango, learned counsel who appears for the 3rd respondent on instructions would submit that a comprehensive report is under preparation and prays for short accommodation to submit the same and so also the plea of Mr.Akhil Akbar Ali, learned Government Advocate who appearing for respondents 1 and 2.

Call on 23.01.2020 immediately after motion list.

-sd/-
03/01/2020
/ TRUE COPY /

Sub-Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE CHIEF SECRETARY
GOVERNMENT OF TAMIL NADU,
FORT ST. GEORGE, CHENNAI-600 009.

2 THE SECRETARY,
SOCIAL WELFARE DEPARTMENT,
FORT ST. GEORGE, CHENNAI-600 009.

3 THE REGISTRAR GENERAL,
HIGH COURT, CHENNAI-600 104.



4 THE SECTION OFFICER,
LEGAL CELL, HIGH COURT, MADRAS 104.

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C.C. to M/S.B.POONGKHULALI Advocate on payment of necessary charges

Order
in

W.P.No.30750 of 2018
and W.M.P.Nos.35895 & 35897 of 2018

Date :03/01/2020

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