

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.01.2020

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

CrI.O.P.No.24394 of 2013

&

M.P.No.1 of 2013

1. S.Selvakumar
2. Kalaivani
3. S.Senthil
4. Senthamil

... Petitioners/Respondents

Vs.

1. S.Pandiammal,
The Protection Officer,
Domestic Violence Act,
District Social Welfare Officer,
District Collector's Office Complex,
Singaravelr Malligai, 8th Floor,
Rajaji Salai, Chennai.

2. B.Dhanalakshmi

... Respondents

Petition filed under Section 482 of Cr.P.C. to call for the records pertaining to proceedings in DVC.No.23 of 2013 on the file of the learned XV Metropolitan Magistrate, George Town, Chennai and quash the same.

For Petitioners: Mr.K.Kannan

For Respondents: Mr.C.Iyyapparaj

Additional Public Prosecutor- R1

Mr.R.Rajesh,

for M/s.Bright Sun Law Associates- R2

O R D E R

This criminal original petition has been filed to call for the records pertaining to proceedings in DVC.No.23 of 2013 on the file of the learned XV Metropolitan Magistrate, George Town, Chennai and quash the same.

2. The case of the petitioners is that the petitioners are accused in D.V.C.No.23 of 2013 on the file of the XV Metropolitan Magistrate, Chennai. The learned counsel for the second respondent submitted that during the pendency of this petition, an Order has been passed in D.V.A.C.No.23 of 2013

directing the first petitioner to pay a sum of Rs.5000/- towards maintenance to the second respondent and further the petitioners are directed to accommodate the second respondent in their house. Further the Protection Officer is directed to execute the Order of the Court and file a report before the trial Court within a period of one month. Challenging the said Order, an appeal has been preferred by the petitioners in C.A.No.80 of 2015 and the lower appellate Court has dismissed the appeal.

3. Considering the facts and circumstances of the case and in view of the fact that an Order has already been passed in DVC.No.23 of 2013 and the appeal filed against the Order has also been dismissed, nothing survives in this petition.

4. In view of the same, this Criminal Original Petition is dismissed as infructuous. Consequently, connected miscellaneous petition is closed.

s/d-
Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

vrc
To

1.The XV Metropolitan Magistrate
George Town, Chennai

2. S.Pandiammal,
The Protection Officer,
Domestic Violence Act,
District Social Welfare Officer,
District Collector's Office Complex,
Singaravelr Malligai, 8th Floor,
Rajaji Salai, Chennai.

3. The Public Prosecutor,
High Court of Madras, Chennai 600 104.

+1 CC to Mr.S.B. Suresh Kumar, Advocate sr 213.

Cr1.O.P.No.24394 of 2013

SJ(CO)
SP(13/02/2020)