



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.01.2020

CORAM:

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

Cr1.O.P (MD) No.4442 of 2016

and

Cr1.M.P. (MD) No.2212 of 2016

WEB COPY

1.A.Srikanth

2.Anandharaj

3.Mrs.Jothi

5.Mrs.Sujatha

6.Muthukumar

... Petitioners

Vs

1.K.Rekha

2.Minor Vaseegaran

(Mother represented by  
its I<sup>st</sup> Respondent)

... Respondents

**PRAYER:** Petition filed under Section 482 Code of Criminal Procedure, to call for the records in M.C.(DVC) No.19/2015 on the file of the Judicial Magistrate Court, Devakottai and quash the same.

For Petitioners : Mr.Haja Mohideen Gisthi

For Respondents : No appearance

### **ORDER**

This petition has been filed for quashing the impugned proceedings instituted by the respondents under 12 of the Protection of Woman from the Domestic Violence Act, 2005.

2.When the matter was taken up for hearing, the learned counsel appearing for the petitioners fairly submitted that an exparte order has already been passed by the Court below and that they have filed an application for setting aside the same. He also stated that there is a possibility of settlement. The application filed by the petitioners for setting aside the exparte order is posted to 10.02.2020. The fact remains that as on date, the petitioners have already suffered an exparte order. Therefore, it is not possible to keep this quash petition alive or even adjourn it. Therefore, this quash petition is closed as infructuous. However, liberty is given to the petitioners herein to file miscellaneous petition for restoration of this quash petition to be



Crl.O.P (MD) No.4442 of 2016

heard on merits, if the application for setting aside the exparte order is allowed by the Court below. Consequently, connected miscellaneous petition is closed.

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Assistant Registrar

/ /2020  
Sub Assistant Registrar

rmi

To

The Judicial Magistrate,  
Devakottai.

+1 CC to M/s.A.HAJAMOHIDEEN, Advocate ( SR-4198[F] dated  
31/01/2020 )

Crl.O.P (MD) No.4442 of 2016  
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AP(16.03.2020) 2P 3C