



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.09.2021

CORAM

THE HON'BLE Mr. JUSTICE C.V.KARTHIKEYAN

Crl.O.P.No.18797 of 2015
and Crl.M.P.Nos.1 and 2 of 2015

1. R.Seshachalam
2. S.Thilakavathy
- 3.U.Nirmala

.. Petitioners/Respondents 2 to 4

Vs.

Kavitha

.. Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the record in C.C.No. 1464 of 2015 on the file of the X Metropolitan Magistrate Court, Egmore, Chennai, and to quash the proceedings as against these petitioners as null and void.

For Petitioners .. No Appearance
For Respondent .. Mr.M.Sarfudeen Ali Ahamed

ORDER

This Criminal Original Petition has been filed to call for the records in C.C.No. 1464 of 2015 on the file of the X Metropolitan Magistrate Court, Egmore, Chennai, and to quash the proceedings as against the petitioners as null and void.

2.A learned Single Judge of this Court in a batch of cases in Crl.O.P.No.28458 of 2019 etc., batch, vide common order dated 18.01.2021, in Dr.P.Pathmanathan and 2 others v. Tmt.V.Monica and another (2021 (2) CTC 57), had very categorically held that any proceedings questioning the pendency of complaints preferred under the Protection of Women from Domestic Violence Act, 2005, should only be preferred as a Civil Revision Petition under Article 227 of the Constitution of India and that the petition under Section 482 of Cr.P.C., would not lie and the same is not maintainable.



3. Accordingly, the Criminal Original Petition stands dismissed. The connected Miscellaneous Petitions are closed. It is informed that the matter has been settled and both the spouses are living together.

WEB COPY

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

smv/psa

To

The X Metropolitan Magistrate,
Egmore, Chennai

Crl.O.P.No.18797 of 2015
and Crl.M.P.Nos.1 and 2 of 2015

GP (CO)
K.RK. (18.10.2021)