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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 07.09.2021

CORAM

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

Cr1.O.P.No.20405 of 2015  
and  
M.P.Nos.1 and 2 of 2015

1. T. Thiyagarajan  
2. T. Leelavathi  
3. V. Thangavel

...Petitioners

vs.

M.Karthiga

...Respondent

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to call for the entire records in pursuant to D.V.A.No.6 of 2015 on the file of the Hon'ble Judicial Magistrate-II, Tirupur and quash the same.

For Petitioners : Mr.R.Shanmugam

For Respondent : Mr.C.S.Dhanasekaran

ORDER

A learned Single Judge of this Court in a batch of cases in Cr1.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.

2. Learned counsel for the petitioners also sought for permission of the court to withdraw the present Criminal Original Petition.



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3. Accordingly, the Criminal Original Petition stands dismissed. The connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

ssk

To

Judicial Magistrate-II,  
Tirupur.

+1CC to Mr.R.Shanmugam, Advocate, Sr.No.45173

+1CC to Mr.C.S.Dhanasekaran, Advocate, Sr.No.45758

Crl.O.P.No.20405 of 2015 and  
M.P.Nos.1 and 2 of 2015

KSM (CO)

K.RK. (27.09.2021)