



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.09.2021

CORAM

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

Crl.O.P.No.23310 of 2015
and Crl.M.P.No.1 of 2015

1. B.Padmavathy
2.R.Balaji

.. Petitioners/Accused

Vs.

Shalini

.. Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the records in C.C.No.9838 of 2014 on the file of the V Metropolitan Magistrate Court, Egmore, Chennai, summoning the petitioners herein under provisions of the Domestic Violence Act and to quash the same.

For Petitioner .. Mr.K.M.Mohammed Ziauddin
for Mr.M.Sathiavel

ORDER

This Criminal Original Petition has been filed to call for the records in C.C.No.9838 of 2014 on the file of the V Metropolitan Magistrate Court, Egmore, Chennai and to quash the same.

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 Petition is closed.

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Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

smv

To
The V Metropolitan Magistrate,
Chennai

Crl.O.P.No.23310 of 2015
and Crl.M.P.No.1 of 2015

AK-II (CO)
K.RK. (24.09.2021)