

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 31.8.2021

CORAM

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

Crl.O.P.No.23465 of 2015

and

M.P.No.1 of 2015

1. Shyamala Sivaraman
2. Vaidehi Satish
3. Satish

...Petitioners

vs.

Gayathri

...Respondent

Criminal Original Petition filed under Section 482 of the Criminal Procedure Code to call for the records pertaining to the Complaint in M.C.No.68 of 2015 pending on the file of the learned XVII Metropolitan Magistrate, Saidapet and quash the same.

For Petitioners : Ms.N.Ramamani for
M/s.D.Geetha

For Respondent : Mr.K.Balasubramani for
M/s.Kanimozhi Mathi

ORDER

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.

2. Accordingly, the Criminal Original Petition stands dismissed. The connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

ssk.

To

1. XVII Metropolitan Magistrate,
Saidapet,
Chennai.
2. The Chief Metropolitan Magistrate,
Egmore,
Chennai.
3. The Judicial Magistrate VII,
Coimbatore.

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