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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.24065 of 2015

1. P.Jaganathan
2. Pramila

.. Petitioners

Vs.

1. The Protection Officer,
Domestic Violence Act,
District Social Welfare Officer,
District Collectors office complex,
Singaravelar Maligai 8th Floor,
Chennai - 600 001.

2. Y.Yamini

.. Respondents

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the records in C.C.No.2465 of 2015 pending on the file of the X Metropolitan Magistrate Court, Egmore, Chennai and to quash the same.

For Petitioner .. No appearance

For R1 .. Mr.E.Raj Thilak,
Govt. Advocate (Criminal Side)

For R2 .. Ms.S.N.A.Husseiny

ORDER

This Criminal Original Petition has been filed to call for the records in C.C.No.2465 of 2015 on the file of the X 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.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

smv

To

1. The X Metropolitan Magistrate Court,
Egmore.
2. The Protection Officer,
Domestic Violence Act,
District Social Welfare Officer,
District Collectors office complex,
Singaravelar Maligai 8th Floor,
Chennai - 600 001.
3. The Public Prosecutor,
High Court of Madras.

Cr1.O.P.No.24065 of 2015

GP (CO)
K.RK. (18.10.2021)