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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE:31.08.2021

CORAM

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

CrI.O.P.No.26038 of 2015
and
M.P.No.1 of 2015

K.Vijayagopal

...Petitioners

vs.

Vigneshwari

...Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records relating to M.C.No.8 of 2013 on the file of IX Metropolitan Magistrate, Saidapet, Chennai and quash the same.

For Petitioner : M/s T.Muruganantham

ORDER

A learned Single Judge of this Court in a batch of cases in CrI.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. Additionally, it is submitted that the matter is settled between the parties.

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

s/d-

Assistant Registrar(CS-III)

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Sub-Assistant Registrar



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To

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IX Metropolitan Magistrate,
Saidapet, Chennai.

Crl.O.P.No.26038 of 2015
and
M.P.No.1 of 2015

NK (CO)
SP (17/09/2021)