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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.09.2021

CORAM

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

CRL.O.P.NO.22251 OF 2016

AND

CRL.M.P.NO.10340 OF 2016

Mohanraj

... Petitioner

.Vs.

Ganga

... Respondent

PRAYER:-

Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the records relating to M.C.No.2 of 2016 on the file of the District Munsif cum Judicial Magistrate Court, Neyveli, Cuddalore District and quash the same.

For Petitioner .. M/s.K.M.Vijayan Associates

For Respondent .. No Appearance

ORDER

This petition has been filed to call for the records in M.C.No.2 of 2016 on the file of the District Munsif cum Judicial Magistrate Court, Neyveli, Cuddalore District 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. Consequently, the connected miscellaneous petition is closed.

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Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

smv

To

The District Munsif Cum Judicial Magistrate,
Neyveli, Cuddalore District.

CRL.O.P.NO.22251 OF 2016 AND
CRL.M.P.NO.10340 OF 2016

MG (CO)
PBS/13/10/2021