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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.09.2021

CORAM

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

CrI.O.P.No.30365 of 2015 and
M.P.No.1 of 2015

C.Rajamma

..Petitioner

Vs.

Mini

..Respondent

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the records of M.C.No.44 of 2015 pending on the file of the learned XVII Metropolitan Magistrate, Saidapet, Chennai and quash the above Domestic Violence Petition namely, M.C.No.44 of 2015 against the petitioner herein.

For Petitioner .. No Appearance

ORDER

When the matter was taken up for hearing, there was no representation for the petitioner.

2. 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.

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

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

ssk



To

XVII Metropolitan Magistrate,
Saidapet, Chennai.

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Crl.O.P.No.30365 of 2015
and M.P.No.1 of 2015

KSM(CO)
RGA (27/09/2021)