



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.4868 of 2016
and Crl.M.P.No.2568 of 2016

1.Pitchammal @ Gowri
2.Kamala
3.Vigneswari
4.Saraswathi Ammal

...Petitioners/Respondents 2 to 5

Vs.

1.Ramalakshmi
2.K.S.Sakthi Kamalam ...Respondents 1 and 2/Petitioners
(Minor rep by Mother of natural
guardian Mrs.Ramalakshmi)
3.M.Kuppuswamy ...3rd Respondent/1st Respondent

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records in M.C.No.43 of 2015 on the file of the learned XVII Metropolitan Magistrate, Saidapet, Chennai and to quash the proceedings in M.C.No.43 of 2015, on the file of the learned XVII Metropolitan Magistrate, Saidapet, Chennai, against the petitioners herein.

For Petitioners .. Mr.R.Chithiraputhiran

For Respondents .. No Appearance

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. Consequently, the connected miscellaneous petition is closed.

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Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

grs/kbs

To

1. The XVII Metropolitan Magistrate,
Saidapet, Chennai.
2. -do through- The Chief Metropolitan Magistrate,
Egmore, Chennai.

CrI.O.P.No.4868 of 2016
and
CrI.M.P.No.2568 of 2016

PCH[co]
NSK 27/09/2021