



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:13.09.2021

CORAM

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

Crl.O.P.No.3844 of 2017
and Crl.M.P.No.2815 of 2017

1.A.Yokesh

2.K.Anbu

3.A.Malathi

... Petitioners/Accused

Vs.

M.Arulmozhi

... Respondent/Petitioner

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records pertaining to the C.C.No.1415 of 2016 on the file of the learned Mahila Court, Egmore, Allikulam, Chennai - 600 003 and quash the same.

For Petitioners

... Mr.S.Rajesh Kanna

For Respondent

... Mr.V.V.Sairam

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. It is also represented that the second petitioner had, unfortunately, expired. It is also stated that before the Family Court and before the Mediation Centre, a comprehensive settlement had been reached including with respect to the present C.C.No.1415 of 2016, which is now pending on the file of



the learned Mahila Court, Egmore. If the said settlement is presented before the learned Mahila Court, Egmore, the learned Magistrate may consider it in the proper perspective.

3. Accordingly, the Criminal Original Petition stands dismissed. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

grs/kbs
To

The Mahila Court,
Egmore, Allikulam,
Chennai - 600 003.

+1cc to Mr.A.Rajesh Kanna, Advocate Sr.49830

Cr1.O.P.No.3844 of 2017 and
Cr1.M.P.No. 2815 of 2017

sj[col
srg 18/10/2021