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C.R.P.No.220 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

C.R.P.No.220 of 2023
and
C.M.P.No.1808 of 2023

Mrs.L.Suseela

... Petitioner

Vs.

1.Mrs.C.Geetha @ Dhanalaxmi

2.L.Prabhu

3.Swathi

... Respondents

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, praying to call for the records pertaining to proceedings in DVA No.174 of 2022 on file of the Honourable Special Court to try cases filed under Protection of Women from Domestic Violence Act, Court, Coimbatore and strike off the complaint as against the petitioner/2nd respondent.

For Petitioner

: Mr.A.Parthasarathy
For M/s.A.Parthasarathy and
Associates

ORDER



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The Civil Revision Petition has been filed against DVA No.174 of 2022, pending on the file of the Special Court to try cases filed under Protection of Women from Domestic Violence Act, Coimbatore and strike off the complaint as against the petitioner/2nd respondent.

2. The revision petitioner is the mother-in-law of the first respondent and the first respondent, who is the complainant.

3. The first respondent filed a complaint under Sections 12, 18, 20, 21 and 22 of the Protection of Women from Domestic Violence Act, which was taken on file by the Special Court at Coimbatore.

4. The learned counsel for the revision petitioner states that the revision petitioner is the mother-in-law of the first respondent and on account of the dispute between the first respondent and her husband, who is none other than the son of the revision petitioner, the complainant has given unnecessary complaint against the revision petitioner.

5. Perusal of the complaint would reveal that certain allegations were



C.R.P.No.220 of 2

WEB COPY

raised against the revision petitioner / mother-in-law also. Such allegations are to be enquired into by the Court concerned and therefore, the revision petitioner has to defend her case before the Special Court for cases under Protection of Women from Domestic Violence Act, Court, at Coimbatore and this Court in the present revision petition cannot adjudicate the allegations on merits, which is to be done based on the documents and evidences. Thus, the revision petitioner is at liberty to defend the case before the Special Court concerned.

6. With this liberty, the Civil Revision Petition in C.R.P.No.220 of 2023 stands dismissed. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

03.02.2023

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Index : Yes
Speaking order
Neutral Citation : Yes

To

Page 3 of 5



C.R.P.No.220 of 2

The Special Court,
(to try cases filed under Protection of
Women from Domestic Violence Act,)
Coimbatore.



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C.R.P.No.220 of 2

S.M.SUBRAMANIAM, J.

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