



Rev. Appl. No.58 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 24.02.2023

CORAM

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

Review Application No.58 of 2022

C. Jaya Sangeetha

... Petitioner

vs.

1. Gokul Kumar

2. Palaniammal

3. E.Kolandavel

... Respondents

Review Application has been filed under Order XLVII Rule 1 r/w
Section 114 of the Civil Procedure Code, against the order dated 01.12.2021
passed in Tr CMP. No.650 of 2021 on the file of the High Court.

For Petitioner : Mr.J. Saravana Vel

J U D G M E N T



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The petitioner seeks review of paragraph 4 of the order dated 01.12.2021 dismissing Tr.CMP. No.650 of 2021 as not maintainable, since transfer was sought for from the Court of the Judicial Magistrate, Mettupalayam to the I Additional Family Court, Chennai.

2. After the filing of the Review, a Full Bench of this Court in ***Arul Daniel and others v. Suganya***, made in Crl. OP. SR. Nos.31852 of 2022 etc. batch dated 17.11.2022, has held that proceeding under the Domestic Violence Act cannot be transferred to the Family Court or any other Civil Court. The operative portion of the judgment of the Full Bench reads as follows:

“Consequently, we hold that an application under Section 12 of the D.V. Act cannot be transferred from the Court of the Magistrate, designated under Section 27 of the D.V.Act, to the Family Court or the Civil Court. Decisions of learned single Judges which have held to the contra in paragraphs 56 and 57, supra, will stand



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overruled.”

3. In view of the said pronouncement, this Review Application cannot be entertained and the same is dismissed. There shall be no orders as to costs.

24.02.2023

jv

Index: Yes/No

Internet: Yes/No

Neutral Citation: Yes/No

Speaking order/Non Speaking order

To

1. The I Additional Judge,
Family Court, Chennai.
2. The Judicial Magistrate,
Mettupalayam.



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R.SUBRAMANIAN,J.

jv

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