



W.P.No.26858 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.09.2023

CORAM: JUSTICE N.SESHASAYEE

WP.No.26858 of 2023

S.R.Oive Sharanya
@ Olive Walter

...Petitioner

-Vs-

1.The Protection Officer,
District Welfare Office,
District Collectorate,
Thiruvallur-602 001.

2. Walter Philips

...Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the 1st respondent to transmit the domestic incidence report dated 05.05.2023 prepared under the Domestic Violence Act, 2005 to the file of the XVII Metropolitan Magistrate, Saidapet for further proceedings.

For Petitioner

: Mr.Sharath Chandran

For R1

: Mr.V.Manoharan,
Additional Government Pleader



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ORDER

The petitioner is the wife of the 2nd respondent and their matrimony is in rough weather and now, the subject matter of O.P.No.9 of 2022. The petitioner, in the meantime approached the 1st respondent herein under Section 9 of the Domestic Violence Act and the first respondent too has made an enquiry and appears to have finalized her report. However, this report has not been forwarded to the Jurisdictional Magistrate Court, namely the XVII Metropolitan Magistrate Court, Saidapet under Section 12 of the Act. Hence the petitioner is before this court seeking a direction to the first respondent to forward her report to the XVII Metropolitan Magistrate, Saidapet within the meaning of Section 12 of the Act.

2.The learned counsel for the petitioner submitted earlier the Protection Officer/first respondent had forwarded a report to the Magistrate Court in Thiruvallur and that was returned as it was not the Jurisdictional Magistrate Court, but, thereafter, it was not forwarded to the concerned Metropolitan Magistrate Court.

3.The first respondent is now directed to forward the domestic incidence



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report dated 05.05.2023 to the XVII Metropolitan Magistrate Court, Saidapet within a period of eight (8) weeks from the date of receipt of a copy of this order.

4.The Writ Petition is disposed of accordingly. No costs.

13.09.2023

Index : Yes/No

Internet : Yes/No

Tsg/gvn

To

1.The Protection Officer,
District Welfare Office,
District Collectorate,
Thiruvallur-602 001.

2.The XVII Metropolitan Magistrate Court,
Saidapet.



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N.SESHASAYEE, J.,

Tsg/gvn

Order made in
WP.No.26858 of 2023

13.09.2023