



WEB COPY



CRP No. 269of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :15.12.2023

CORAM :

THE HON'BLE MRS. JUSTICE T.V. THAMILSELVI

Civil Revision Petition No.269 of 2023
and
C.M.P.No.2254 of 2023

Rajaraman

... Petitioner

Versus

Dhivya

... Respondent

Civil Revision Petition filed Under Section 227 of Constitution of India, praying to call for the records pertaining to DVC.No.39 of 2022 pending on the file of Additional Mahila Judge, Alandur.

For Petitioner : Mrs.V.Soundharia Meenakshi
For Respondent : Mr.Muralidharan

ORDER

The petitioner has filed this petition to call for the records pertaining to DVC.No.39 of 2022 pending on the file of Additional Mahila Judge, Alandur.



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2. Heard Mrs.V.Soundharia Meenakshi, learned counsel for the petitioner, Mr.R.Sankarasubbu, learned counsel for Mr.Muralidharan, learned counsel appearing for the respondent and perused the materials available on record.

3.Today, both the parties and their children are appeared in persons along with their respective counsels before this Court. Already both the parties were referred to Tamil Nadu Mediation and Conciliation Centre, High Court of Madras, in which the matter was not settled. There is no possibility of settling the issue. Since, the defacto complainant is suffered with due to the accident. Both the parties are directed to work out their remedy before the trial Court.

4. Considering the above, the petitioners are entitled to approach the concerned Magistrate Court itself and raise the issue of maintainability and other preliminary issues and if such an application is filed, the learned Magistrate shall decide the same as per the decision of the Hon'ble Supreme Court in ***Kunapareddy @ Nookala Shanka Balaji Vs. Kunapareddy Swarna Kumari and another*** reported in ***(2016) 11 SCC 774***.



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5. Hence, the learned trial Judge is directed to dispose of the DVC.No.39 of 2022, within a period of three months from the date of receipt of a copy of this order.

6. With the above direction, this Civil Revision Petition is disposed of. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

15.12.2023

Index : Yes/No
Speaking/Non Speaking order
Neutral Citation:Yes/No

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To

1. The Additional Mahila Judge, Alandur.

2.The Section Officer,
VR-Section, High Court of Madras.



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T.V.THAMILSELVI, J.

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15.10.2023