



C.R.P.(MD).No.378 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.02.2023

CORAM

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

C.R.P.(MD).No.378 of 2023

and

CMP(MD).No.1845 of 2023

Mohammed Thaha

... Petitioner

-VS-

1.Beema

2.Minor Nowfa Taj

(Minor represented by
her mother 1st respondent)

... Respondent

PRAYER: The Civil Revision Petition has been filed under Article 227 of Constitution of India, to strike off the entire proceedings in M.C.No.22 of 2022 pending on the file of the Judicial Magistrate, Tenkasi.

For Petitioner : Mr.R.Anand

ORDER

The revision petition has been filed challenging an order passed in M.C.No.22 of 2022 pending on the file of the Judicial Magistrate, Tenkasi.

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2.The present revision petition is not maintainable as against the order passed by the Judicial Magistrate, Tenkasi, in view of the fact that the said order has not been passed under Protection of Women from Domestic Violence Act, 2005. The said proceedings have been initiated by the wife under Section 125 Cr.P.C. Therefore, the present revision is not maintainable in view of the fact that alternative remedy is available to the revision petitioner.

3.Accordingly, this Civil Revision Petition is dismissed with liberty to the petitioner to invoke the provisions under Section 482 of Cr.P.C. No costs. Consequently, connected miscellaneous petition is closed.

22.02.2023

Index : Yes/No
Internet : Yes/No
NCC : Yes/No
msa

To

- 1.Judicial Magistrate, Tenkasi.
- 2.The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.

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R.VIJAYAKUMAR, J

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