



CRP(MD).NO.439 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.02.2023

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

CRP(MD).No.439 of 2022

and

C.M.P(MD).Nos.1930 and 2011 of 2022

S.Aravind

... Petitioner/1st Respondent

Vs.

R.Dhivya

... Respondent/Complainant

PRAYER : Revision Petition filed under Article 227 of the Constitution of India, to call for the records pertaining to the impugned proceedings in M.C.No.89 of 2014 on the file of the Additional Mahila Court, Tiruchirappali and to quash the same as far as the petitioner is concerned.

For Petitioner	: Mrs.AL.Gandhimathi for Mr.C.Mahadevan (change of vakalat)
For Respondent	: Mr.S.Rajasekar



CRP(MD),NO.439 of 2022

WEB COPY

ORDER

The present revision petition has been filed to quash M.C.No. 89 of 2014 pending on the file of the Additional Mahila Court, Tiruchirappalli.

2. The petitioner herein is the husband, who is arrayed as the first respondent in the above Maintenance Case. According to the learned Senior Counsel appearing for the revision petitioner, a perusal of the allegation made in M.C.No.89 of 2014 does not disclose any ingredients for invoking the provisions of Domestic Violence Act. Hence, she prayed for quashing the said M.C.No.89 of 2014.

3. In view of the Hon'ble Full Bench Judgment of our High Court, the provisions under Article 227 of the Constitution of India cannot be invoked for quashing the proceedings under Domestic Violence Act. Therefore, the learned Senior Counsel appearing for the petitioner submits that they will face the trial before the Additional Mahila Court, Tiruchirappalli.



CRP(MD),NO.439 of 2022

4. Recording the said reason, the Civil Revision Petition is closed. The petitioner is at liberty to raise all the pleadings before the trial Court. No costs. Consequently, connected Miscellaneous Petitions are also closed.

14.02.2023

Index : Yes / No
Internet : Yes / No
Rmk

To
The Additional Mahila Court, Tiruchirapalli.



WEB COPY



CRP(MD).NO.439 of 2022

R.VIJAYAKUMAR ,J.,

Rmk

Order made in
CRP(MD).No.439 of 2022

Dated:
14.02.2023