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C.R.P.(PD).No.1200 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.07.2024

CORAM :

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

C.R.P.(PD).No.1200 of 2024
and C.M.P.Nos.6207 and 6210 of 2024

Martin Maria Dass

.. Petitioner

Versus

Vijayalakshmi

.. Respondent

Prayer : Civil Revision Petition filed under Article 227 of the Constitution of India to struck off the complaint in D.V.C.No.6 of 2023 on the file of the learned Judicial Magistrate Court at Sriperumbudur.

For Petitioner : Mr.A.Mohan

For Respondent : Mr.T.Selvakumar

ORDER

This Civil Revision Petition is filed seeking to struck off the complaint in D.V.C.No.6 of 2023 on the file of the learned Judicial Magistrate Court, Sriperumbudur.



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2. As per the earlier order passed on 26.04.2024, the matter was referred to mediation. The mediator had taken steps to resolve the issue, but, failed. Hence, he has given a report stating that the mediation failed. The petitioner is the husband of the respondent and they got two minor children. There have been specific averments against the petitioner. Hence, it cannot be totally said that there is no case made out against the petitioner and can have a benefit of striking out the name.

3. In view of the averments against the petitioner are specific, this Court is not inclined to entertain the petition.

4. The learned Counsel for the petitioner submits that though the respondent filed the complaint, thereafter, she had not properly prosecuted resulting in causing harassment and pain to the petitioner. Both the learned Counsels for the petitioner and the respondent agree that the proceedings in D.V.C.No.6 of 2023 on the file of the learned Judicial Magistrate, Sriperumbudur can be completed within a stipulated time preferably within a period of four months from the date of receipt of a copy of this order.



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5. Accordingly, this Civil Revision Petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

15.07.2024

Index : yes/no
Speaking order/Non-speaking order
Neutral Citation : yes/no
grs

Note :- Issue order copy on 23.07.2024.

To

The Judicial Magistrate,
Sriperumbudur.



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M.NIRMAL KUMAR, J.

grs

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