



WEB COPY

W.P.No.15035 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.01.2024

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. No.15035 of 2020

and

W.M.P. Nos.18728 and 18729 of 2020

Sripadmanabhan

... Petitioner

Vs.

1. The Chairperson,
Tamil Nadu State Commission for Women,
Kalas Mahal, 1st Floor, Chepauk,
Chennai-600 005.

2. The Principal Secretary to Government,
Ex Officio Member,
Social Welfare Department, Fort St. George,
Chennai-600 009.

3. The Director,
Member Secretary,
Social Welfare Department,
Government of Tamil Nadu,
Saidapet, Chennai-600 015.

4. The Protection Officer-I,
Domestic Violence Act,
District Social Welfare Office,
Collectorate, Rajaji Salai,
Chennai-600 001.

5. The Commissioner of Police,



Greater Chennai,
Poonamallee High Road, Chennai-600 003.
6. The Inspector of Police,
R7, K.K. Nagar Police Station,
Chennai-600 078.

7. Deepa Pushpa.

..... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari calling for the records in the complaint in case No.3148 of 2020 on the file of the 1st respondent and the Advisory Order bearing Na.Ka. No.3149/M.A./A3/2020 dated 06.10.2020 passed by the 1st respondent, the Hon'ble Tamil Nadu State Commission for Women under the provisions of Sections 17 and 19 of the Domestic Violence Act and quash the same.

For Petitioner : Mr. T. Thiageswaran
for M/s. Waraon and Sai Rams

For Respondents : Mr. G. Krishna Raja,
Additional Government Pleader
[for R1 to R4]

Mr. V. Meganathan
Government Advocate (Criminal
side) [for R5 & R6]

Mr. M. Deivanandam [for R7]



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ORDER

The marriage between the petitioner and the 7th respondent was solemnized on 03.06.2018 as per Hindu Rights and Customs Act. Due to misunderstanding, the petitioner and the 7th respondent are living separately. Several allegations cropped up between the couple and finally the dispute reached to the doors of the Family Court and the petitioner filed a H.M.O.P seeking resolution of marriage and the 7th respondent filed a petition for restitution of conjugal rights.

2. The learned counsel for the 7th respondent would submit that the Writ petitioner filed an I.A. No.4 of 2023 seeking the very same relief, which he has sought for in the present Writ proceedings.

3. The learned counsel for the petitioner states that the Family Court is considering the issues and the petitions are in the trial stage. That being the factum, which is admitted by the parties, the present Writ petition cannot be adjudicated with reference to the matrimonial disputes exist between the Writ petitioner and the 7th respondent. Though the order impugned is the one passed by the Tamil Nadu State Commission for Women, now the



dispute is pending before the Family Court. The parties are at liberty to raise all their issues before the Family Court.

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4. Consequently, this Writ petition stands dismissed. No order as to costs. Connected miscellaneous petitions are closed.

10.01.2024

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

To

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4. The Protection Officer-I,
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