



C.R.P. (PD) .No. 4020 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 03.10.2024

CORAM

THE HONOURABLE Mr. JUSTICE V.LAKSHMINARAYANAN

C.R.P.(PD).No. 4020 of 2024
&
C.M.P.Nos. 22107 & 22109 of 2024

K.J.Usharani

...Petitioner

Vs.

1.E.S.Vishnu Priya

2.K.J.Pushpavanam

...Respondents

Prayer: Petition is filed under Article 227 of the Constitution of India to quash the petition in D.V.C.No.94 of 2024 on the file of the Special Court for Trial of Domestic Violence Act Cases, Coimbatore.

For Petitioner : Mr. R.V.Rajkumar



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C.R.P. (PD) .No. 4020 of 2027

ORDER

In view of the Judgement of the Full Bench of this Court in ***Arul Daniels and others Vs. Suganya - Crl.O.P. Sr.No.31852 of 2022 etc. batch***, the petitioner has to move an application to strike off the Domestic Violence Case before the Judicial Magistrate. The Full Bench made it clear that if adverse orders are passed by the Judicial Magistrate in the application to strike off, after exhausting remedy before the District and Sessions Court, a Civil Revision Petition can be preferred to this Court.

2. Hence, granting liberty to the petitioner to move a strike off application before the Special Court for Trial of Domestic Violence Act Cases, Coimbatore, the Civil Revision Petition is dismissed. Consequently, the connected miscellaneous petitions are closed. No costs.



C.R.P. (PD) .No. 4020 of 2024

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3.The learned counsel for the petitioner pleads that the petitioner's husband is an amputee and she is taking care of him. Therefore, her appearance before the Special Court dealing with Domestic Violence Case is dispensed with. The petitioner shall be represented by counsel on all dates. She shall appear before the Court whenever her presence is essential or when the learned Magistrate so directs.

03.10.2024

Index : Yes/No
Internet : Yes/No
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To

The Special Court for Trial of
Domestic Violence Act Cases,
Coimbatore.



C.R.P. (PD) .No. 4020 of 2024



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C.R.P. (PD) .No. 4020 of 2024

V.LAKSHMINARAYANAN, J.

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C.R.P. (PD) .No. 4020 of 2024

03.10.2024