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C.R.P. (PD) .No. 3977 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. 3977 of 2024

&

C.M.P.Nos. 21791, 21970 & 21973 of 2024

1.Vijay Senthil

2.Parvathi

3.Sujatha

...Petitioners

Vs.

Kalaiselvi

...Respondent

Prayer: Petition is filed under Article 227 of the Constitution of India to call for the records pertaining to the petition filed under the Protection of Women from Domestic Violence Act, 2005 in DVC No.15 of 2024 pending before the Judicial Magistrate, Sriperumbudur.



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For Petitioners : Mr.G.Ramapandian

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 petitioners have 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 as against 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 petitioners to move a strike off application before the Judicial Magistrate, Sriperumbudur, the Civil Revision Petition is dismissed. Consequently, the connected miscellaneous petitions are closed. No costs.



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3. The records reveal that the 3rd petitioner is suffering from health issues and the 2nd petitioner is a senior citizen. Therefore, their appearance is dispensed with before the learned Judicial Magistrate, Sriperumbudur, for the present. They shall however appear whenever their presence is essential or when so directed by the Judicial Magistrate. This benefit shall not enure in favour of the 1st petitioner.

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Index : Yes/No
Internet : Yes/No
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To

The Judicial Magistrate,
Sriperumbudur.



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V.LAKSHMINARAYANAN, J.

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