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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.04.2025

CORAM

THE HON'BLE MR. JUSTICE R.VIJAYAKUMAR

C.R.P.(NPD)(MD)No.1305 of 2025

and

C.M.P(MD)No.6817 of 2025

1.S.Sri Akilan
2.S.Shanmugam
3.S.Jeevakumari

...Petitioners/Petitioners/Respondents

Vs

Venkateshwari

....Respondent/Respondent/Petitioner

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to allow the above C.R.P. thereby set aside the order dated 28.02.2025 passed in CrI.M.P.No.3741 of 2024 in D.V.O.P.No.29 of 2021, on the file of the Judicial Magistrate Court, Valliyoor, Tirunelveli District.

For Petitioners : Mr.B.Prahalad Ravi

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ORDER

The present revision has been filed challenging the dismissal of an application to condone the delay of 499 days in filing an application to set aside the ex-parte order passed in D.V.O.P.No.29 of 2021, on the file of the Judicial Magistrate Court, Valliyur.

2.As per Section 29 of the Protection of Women from Domestic Violence Act, 2005, the order passed by the Judicial Magistrate, Valliyur, is an appealable order. Therefore, the present revision petition is not maintainable.

3.Accordingly, this Civil Revision Petition stands disposed of with liberty to the petitioner to file an appeal. No costs. Consequently, connected miscellaneous petition is also closed.

4.The period between 28.02.2025, and the date of receipt of a copy of this order shall stand excluded for the purpose of calculating the limitation for filing an appeal.

24.04.2025

Internet:Yes/No
Index:Yes/No
RJR

Note:-

The Registry is directed to return the original impugned order after obtaining due signature from the learned Counsel appearing for the revision petitioner.



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R.VIJAYAKUMAR, J.

RJR

To

The learned Judicial Magistrate,
Valliyoor, Tirunelveli District.

Copy to:-

The Section Officer,
VR Section,
Madurai Bench of Madras High Court, Madurai.

C.R.P.(NPD)(MD)No.1305 of 2025

24.04.2025