
(2022) 03 KL CK 0155

In the High Court Of Kerala

Case No : Original Petition (CRL.) NO. 119 Of 2022

Saraswathy

APPELLANT

Vs

Sreekutty.S

RESPONDENT

Date of Decision : 17-03-2022

Acts Referred:

Protection of Women from Domestic Violence Act, 2005 — Section 23

Citation : (2022) 03 KL CK 0155

Hon'ble Judges : Dr Kauser Edappagath, J

Bench : Single Bench

Advocate : B.Renjithkumar, Clara Sherin Francis

Final Decision : Disposed Of

Judgement

Dr. Kauser Edappagath, J

1. This original petition has been filed to give a direction to the Judicial First Class Magistrate-I, Harippad to consider and dispose of Ext.P3 petition filed to revoke Ext.P1 interim order expeditiously.

2. An interim order has been passed by the court below in CMP No.347/2022 u/s 23 of the Protection of Women from Domestic Violence Act, 2005. The said order was passed on 25/2/2022. On 11/3/2022, the petitioner herein filed CMP No.580/2022 to revoke the order in CMP No.347/2022 dated 25/2/2022. The grievance of the petitioner is that the court below without considering the said petition is proceeding with the main case itself.

3. Considering the nature of order going to be passed in this case, I am of the view that notice need not be issued to the respondent.

4. As evident from Ext.P1, the order in CMP No.347/2022 is an ex parte one. Hence, the court below is directed to dispose of Ext.P3 petition (CMP No.580/2022), after hearing both sides, within one month from the date of receipt of a copy of this judgment.

OP(Crl) is disposed of as above.