



WEB COPY

CRP No. 4542 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-08-2026

CORAM

THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE

CRP No. 4542 of 2026

and

CMP No. 19966 of 2026

1. M.Vedha

W/o Late Manickam, No.11-B, 5th
cross street, Rajalakshmi Nagar,
Velachery, Chennai 600042

2. M.Kousalya

D/o late Manickam, No.11-B, 5th cross
street, Rajalakshmi Nagar, Velachery,
Chennai 600042

3. M.Indhu

D/o late Manickam, No.11-B, 5th cross
street, Rajalakshmi Nagar, Velachery,
Chennai 600042

4. M.Srinivasan

S/o late Manickam, No.11-B, 5th cross
street, Rajalakshmi Nagar, Velachery,
Chennai 600042

Petitioner(s)

Vs

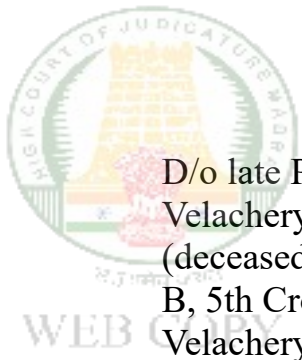
1. P.G.Unnikrishnan

s/o Gopala Pillai, No.12, Soni Nagar,
Gandhi Salai Velachery, Chennai 600
042

2.P.Thomas

S/o Paul, No.17, Raja Street, Gandhi
Salai, Velachery, Chennai 600 042

3.P.Sakunthala



D/o late Palayam, No.6, Raja Street,
Velachery, Chennai 600 042 Manickam
(deceased) s/o Azhagu gounder, No.11-
B, 5th Cross Street, Rajalakshmi Nagar,
Velachery, Chennai 600 042

Respondent(s)

PRAYER

Civil Revision Petition filed under Article 227 of the Constitution of India to strike off the Plaint in OS No. 2428 of 2021 on the file of XXII Addl. City Civil Court Chennai and to dispose of the same and pass such other or further orders as this Court.

For Petitioner(s): Mr.Y.Venkatesan

For Respondent(s): Notice dispensed with

ORDER

This Civil Revision Petition has been filed under Article 227 of the Constitution of India, seeking to strike off the plaint in O.S. No.2428 of 2021 pending on the file of the XXII Additional City Civil Court, Chennai.

2. The petitioners, who are the defendants 4 to 7 in the suit, claims that the suit filed by the first respondent / plaintiff in O.S. No.2428 of 2021 on the file of the XXII Additional City Civil Court, Chennai, is an abuse of process of law. On that ground, this Civil Revision Petition has been filed under Article 227 of the Constitution of India, seeking to strike off the plaint in O.S. No.2428 of 2021.



3. The law is now well settled by the recent decision of the Hon'ble Supreme Court in the case of *P. Suresh Vs. D. Kalaivani reported in 2026 SCC Online SC 143* that the High Court, exercising powers under Article 227 of the Constitution of India, does not have the power to strike off the entire plaint, as an alternate remedy is available for the party under Order VII Rule 11 of CPC to reject the plaint before the trial Court.

4. Admittedly, the relief sought for in this Civil Revision Petition can be sought for before the trial Court by filing an application under Order VII Rule 11 CPC. In view of the decision of the Honourable Supreme Court referred to supra, this Civil Revision Petition is not maintainable.

5. Accordingly, this Civil Revision Petition is disposed of by granting liberty to the petitioners to file an application under Order VII Rule 11 CPC, seeking for rejection of the plaint, if not already filed and as and when such an application is filed, the trial Court, namely the XXII Additional City Civil Court, Chennai, is directed to dispose of the said application as expeditiously as possible. No Costs. Consequently, connected miscellaneous petition is closed.

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Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No
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To
The XXII Additional City Civil Court, Chennai.

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ABDUL QUDDHOSE J.

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