



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-07-2026

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CORAM

THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE

CRP No. 4263 of 2026

and

CMP No. 18594 of 2026

1. B.Murugeswaran
S/o. V.K. Bhagavathy New No. 15, Y-
Block 1st Street, Anna Nagar Chennai
40 and Old address No.50, B.B.Road,
Perambur, Chennai 039

Petitioner(s)

Vs

1. Sarala
W/o. Late. Subramani No. 20/22,
Villivakkam Road Old Lakshmipuram,
Kolathur, Chennai 99

2.Rajeshwari
D/o. Late. Subramani No. 20/22,
Villivakkam Road Old Lakshmipuram,
Kolathur, Chennai 99

3.Datchayani
D/o. Late. Subramani No. 20/22,
Villivakkam Road Old Lakshmipuram,
Kolathur, Chennai 99

4.Dillikumar
S/o. Late. Subramani No. 20/22,
Villivakkam Road Old Lakshmipuram,
Kolathur, Chennai 99

5.Salsa
W/o. Late. Ganesan No. 20/22,
Villivakkam Road Old Lakshmipuram,
Kolathur, Chennai 99



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6.G.Saravanan
S/o. Late. Ganesan No. 20/22,
Villivakkam Road Old Lakshmipuram,
Kolathur, Chennai 99

7.Vedhanayagi
W/o. Boobalan No. 36/2, Vinayagar
Koil Street Vinayagapuram (Ward 29)
Madhavaram Town and Taluk
Thiruvallur Dist.

8.Indumathy
W/o. Late Chimanlal Bakhay No. 14,
Sivaram Shastri St., Walltax Road
Chennai 003

9.R.Palaniswamy
S/o. P.Rathinaswamy Nadar No. 18,
Subha Naidu Street Choolai, Chennai
112

10.R.Kaleeswaran
S/o. P.Rathinaswamy Nadar No.3,
Vichoor Mudeeli St Choolai, Chennai
112

11.K.Rajeswari
W/o. Kaleeswaran No.3, Vichoor
Mudeeli St Choolai, Chennai 112

12.Rajesh M.Metha
S/o. late Manilal B.Metha I.M, Krupa,
No.2A 1st Cross St IV Avenue West,
Dhandeeswaran nagar Velacheri,
Chennai 042

13.Nutan R.Metha
W/o. Rajesh M. Metha I.M, Krupa,
No.2A 1st Cross St IV Avenue West,
Dhandeeswaran nagar Velacheri,
Chennai 042

Respondent(s)

**PRAYER**

Civil Revision Petition filed under Article 227 of the Constitution of India to strike off the plaint in OS No. 450 of 2021 on the file of the Principal District Court, Tiruvallur.

For Petitioner(s): M/s.Srimathi V.

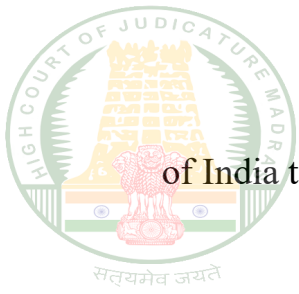
For Respondent(s): Notice dispensed with

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. 450 of 2021, pending on the file of the Principal District Court, Tiruvallur.

2. The petitioner is the eighth defendant in the suit O.S. No. 450 of 2021. According to the petitioner, the suit filed by the plaintiff in O.S. No. 450 of 2021 on the file of the Principal District Court, Tiruvallur is an abuse of process of law and is devoid of any merit. Under those circumstances, this Civil Revision Petition has been filed under Article 227 of the Constitution of India, seeking for striking off the plaint on the file of the Principal District Court, Tiruvallur in O.S. No. 450 of 2021.

3. The law is now well settled by the Honourable Supreme Court in the case of *P. Suresh Vs. D. Kalaivani reported in 2026 SCC Online SC 143* that the High Court cannot exercise the power under Article 227 of the Constitution



of India to strike off the entire plaint filed in a suit.

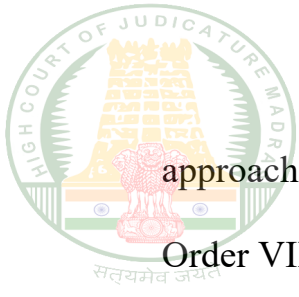
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4. The Honourable Supreme Court has held that only in rarest of rare cases, a petition filed under Article 227 of the Constitution of India can be entertained by the High Court, that too only to strike off a portion of the pleadings in the plaint and not the entire plaint.

5. The Honourable Supreme Court held that when there is an alternate remedy available under CPC, a party cannot approach the High Court under Article 227 of the Constitution of India seeking to strike off the entire plaint.

6. In view of the aforesaid decision, this Civil Revision Petition filed under Article 227 of the Constitution of India, seeking to strike off the plaint in O.S. No. 450 of 2021 on the file of the Principal District Court, Tiruvallur is not maintainable, as there is an alternate remedy available to the petitioner to approach the trial Court by filing an application under Order VII Rule 11 of CPC, seeking for rejection of the plaint.

7. Accordingly, since this Civil Revision Petition is not maintainable, this Civil Revision Petition is disposed of by granting liberty to the petitioner to



approach the Principal District Court, Tiruvallur to file an application under Order VII Rule 11 of CPC, seeking for rejection of the plaint in O.S. No. 450 of 2021. The trial Court shall consider the application as and when filed by the petitioner, on merits and in accordance with law. No Costs. Consequently, connected miscellaneous petition is closed.

8. This Court has not expressed any opinion on the merits of the petitioner's contentions before this Court in this Civil Revision Petition.

27-07-2026

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No
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To
The Principal District Court, Tiruvallur.



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ABDUL QUDDHOSE J.

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