



C.M.A.No.1132 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.08.2026

CORAM:

THE HON'BLE MR. JUSTICE N. ANAND VENKATESH

C.M.A.No.1132 of 2026
and
C.M.P.No.11210 of 2026

N.Venkatathri

... Appellant

Vs.

1. Dr.P.S.Selvaraj
2. Krithika
3. Anitha

... Respondents

PRAYER: Civil Miscellaneous Appeal is filed under Order XLIII Rule (1) (r) of the Code of Civil Procedure, to set aside the order dated 02.07.2026 passed by the learned Additional District Judge, Krishnagiri, in I.A.No.2 of 2020 in O.S.No.139 of 2020, pending before the Additional District Court, Krishnagiri, insofar as it relates to the appellant herein.

For Appellants : Ms.K.Geethika

For Respondents : Mr.V.Chandraprabhu for R1



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JUDGMENT

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This Civil Miscellaneous Appeal has been filed by the appellant/second defendant in the suit under Order XLIII Rule (1)(r) of the Code of Civil Procedure, challenging the order and decretal order dated 02.07.2025 passed by the learned Additional District Judge, Krishnagiri, in I.A.No.2 of 2020 in O.S.No.139 of 2020.

2. The first respondent is the plaintiff in the suit. The first respondent filed the suit on the ground that the defendants were sending defamatory messages against the plaintiff and his family members and were thereby tarnishing his reputation and image of the plaintiff. Hence, the plaintiff sought the relief of damages and a permanent injunction restricting the defendants from sending or posting any messages through any platform.

3. Along with the suit, I.A.No.2 of 2020 was filed under Order XXXIX Rules 1 & 2 of the CPC, seeking an interim injunction to restrain the defendants posting any information about the plaintiff or his family members on social media or other digital platforms pending disposal of the suit.



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4. The defendants took a stand that the plaintiff had sexually abused the first defendant when she was a young girl of about seven years and the said abuse continued even thereafter. The first defendant informed about the same only at a later point of time in the year 2006. Thereafter, steps were taken to initiate legal proceedings against the plaintiff in the year 2020. In order to stop the defendants from prosecuting the complaint, the suit came to be filed by the plaintiff against the defendants. Accordingly, the defendants sought the dismissal of the application.

5. The Court below, on considering the facts and circumstances of the case and the materials available, came to a conclusion that a *prima facie* case had been made out by the plaintiff and the balance of convenience was in favour of the plaintiff and if an order of injunction was not granted, the plaintiff would be put to irreparable loss and accordingly, granted an order of interim injunction restraining the defendants from in any manner posting any information about the plaintiff or his family members on any social media or any other digital platform. Aggrieved by the same, the second defendant has filed the present appeal before this Court.



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6. Heard Mrs.K.Geethika, learned counsel appearing for the appellant and Mr.V.Chandraprabhu, learned counsel appearing for the first respondent.

7. The grounds that have been raised on the side of the appellant are that the Court below has virtually granted a permanent injunction even during the pendency of the suit and that by virtue of an order of interim injunction, the defendants are prevented from prosecuting the remedy in accordance with law and the last ground is that the order of interim injunction virtually amounts to a gag order preventing the defendants from ventilating their grievance, which is serious in nature.

8. Per contra, the learned counsel for the first respondent/plaintiff submitted that the entire dispute revolved around the property and in order to wreak vengeance, the defendants were prosecuting a false case against the plaintiff and they were also tarnishing the image of the plaintiff and his family members. Hence, the same was taken into consideration by the Court below while granting an order of interim injunction.



9. This Court also carefully considered the materials available on

WEB CORNER record and went through the order passed by the Court below.

10. The Court below, while passing the order, has mentioned that a permanent injunction is granted in favour of the plaintiff. It is clearly a typographical error since the application filed was under Order XXXIX Rules 1 & 2 of the CPC seeking an interim injunction and at the best, the Court has only granted an interim injunction pending disposal of the suit. The same is hereby clarified.

11. Insofar as the grievance expressed on the side of the appellant that the defendants are prevented from prosecuting other legal remedies is concerned, it is made clear that the interim injunction passed by the Court below confines itself only to posting any information on social media and other digital platforms about the plaintiff and his family members. This interim injunction does not in any way prevent the defendants from prosecuting the plaintiff in the manner known to law. In fact, an order of interim injunction cannot be granted preventing a person from prosecuting legal remedies that are available and such a remedy is barred under the provisions of the Specific Relief Act. This apprehension is also clarified by this Court.



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12. Insofar as the last grievance expressed on the side of the appellant that the interim injunction order virtually amounts to a gag order is concerned, this Court finds that if the defendants want to seriously prosecute against the plaintiff, it has to be done in the manner known to law and there is no use in posting messages on social media and other digital platforms. At the best, it will only cause a public murmur and nothing more. By posting these messages on a public platform, no effective purpose can be achieved by the defendants.

13. Hence, the Court below has taken this into consideration and has prevented the defendants from posting any information about the plaintiff and his family members on social media platforms and other digital platforms.

14. The Court below was satisfied that the plaintiff was able to make out a prima facie case and the balance of convenience was also found in favour of the plaintiff. If during the pendency of the suit, such messages continue to be posted on social media and digital platforms, the plaintiff will only be put to suffer an irreparable loss. Therefore, this Court does not find any ground to interfere with the order of the interim injunction granted by the Court below.



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15. The apprehension raised on the side of the appellant has already been clarified *supra*.

16. It is brought to the notice of this Court that the suit has been filed in the year 2020 and it is now at the stage of trial. In view of the same, there shall be a direction to the learned Additional District Judge, Krishnagiri, to dispose of the suit in O.S.No.139 of 2020 within a period of six (6) months from the date of receipt of a copy of this order.

17. In the result, this Civil Miscellaneous Appeal is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

06.08.2026

Neutral Citation: Yes/No
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To

1. The Additional District Judge,
Additional District Court,
Krishnagiri.
2. The Section Officer,
VR Section,
High Court of Madras.

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N. ANAND VENKATESH, J.

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and
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