



C.R.P.No.292 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 09.02.2026

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

C.R.P.No.292 of 2025

and

C.M.P.No.1899 of 2025

Shanthini

.... Petitioners

Vs

1.N.Prasanna Venkatesh

2.N.Bala

.... Respondent

Prayer: Civil Revision Petition filed under Article 227 of Constitution of India, to allow the Civil Revision Petition by striking of the plaint in O.S.No.6023 of 2024 on the file of the XXI Assistant City Civil Court, Chennai.

For Petitioner

: Mr.S.Sriram

for Mr.K.Govi Ganesan

For Respondents

: Mr.S.Udhaya Kumar

ORDER

This Civil Revision Petition is filed by the petitioner/wife seeking to strike off the plaint filed by the respondents seeking permanent injunction against the petitioner.



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2. It is the case of the petitioner that the suit property is a matrimonial home of the petitioner and therefore, the respondents are not entitled to seek the relief of permanent injunction restraining the petitioner from entering the shared house. It is further contended that, in view of the provisions of the Protection of Women from Domestic Violence Act, 2005, the prayer sought for by the respondents is barred. If it is the case of the petitioner that the prayer sought for in the plaint is barred by law, the petitioner has got effective alternative remedy of filing an appropriate application seeking rejection of the plaint under Order VII Rule 11(b) of the Code of Civil Procedure. Instead of exhausting the remedy available, the petitioner is not entitled to directly approach this Court by invoking its supervisory power.

3. In the case of *Virudhunagar Hindu Nadargal Dharma Paribalana Sabai and others vs. Tuticorin Educational Society and others* reported in *MANU/SC/1365/2019*, the Hon'ble Apex Court categorically held that when an effective alternative remedy is available before regular Civil Court, this Court ought not to exercise its supervisory power under Article 227 of the Constitution of India.



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4. In view of the above, this Court is not inclined to entertain this civil revision petition. Accordingly, this Civil Revision Petition is dismissed with liberty to the petitioner to file an appropriate application seeking rejection of plaint in accordance with law. Consequently, connected miscellaneous petition is closed. No costs.

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To

The XXI Assistant City Civil Court,
Chennai.



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S.SOUNTHAR.J.

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