



WEB COPY

CRL OP No. 4971 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-04-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 4971 of 2026

AND

CRL MP NO. 3632 OF 2026, CRL MP NO. 3637 OF 2026

1. N.Rajakumari
2. R.Nagalingam
3. N.Bhuvaneswari
4. N.Hemalatha
5. N.Srinivasan
6. N.Arun
7. J.Kalaivani

..Petitioners

Vs

K.Suganthi

..Respondent

To Call for all records in connection with the DVC.No.53 of 2025, pending on the file of XVI Learned Metropolitan Magistrate, George Town, Chennai and quash the same as illegal.

For Petitioners : Mr.Ma.Gouthaman

For Respondent : Mr.C.S.Dhanasekaran for
Mr.R.Yashwanth Sagar



Order

The petitioners, who are the respondents 1 to 7 in DVC.No.53 of 2025, had filed this quash application.

2. The complaint against the petitioners is that the respondent is the mother-in-law of the first petitioner. The first petitioner and the first son of the respondent were married on 30.10.2020. The respondent lived with her husband and she has a daughter and another son, Karthik. The first son Kumar completed Merchant Navy Course and he was having a happy life with the first petitioner. Thereafter, quarrel arose between the first petitioner and the respondent. The other petitioners, who are relatives and family members of the first petitioner, all abused and treated the respondent with cruelty in a brutal manner due to which the respondent went to mental depression. There had been several misunderstandings and quarrels arose between them even during the pregnancy of the first petitioner, as well as at the time of childbirth and the subsequent celebrations and functions. The first petitioner insisted that she wanted to complete her LLB course and practice as a lawyer. The first respondent had some reservation about it. The dispute got magnified.

3. During May 2025, Ganapathy Homam pooja was held at the respondent's house in the second floor, where the first petitioner is residing. As



she is not interested in participating the pooja, she had abused and threatened her and disturbed the pooja. Hence, the first petitioner has also attempted to forcibly remove the respondent from the house. Hence, she lodged a complaint.

4. The counsel for the petitioners submitted that in this case, the entire family members of the daughter-in-law have been unnecessarily roped in. On going through the complaint, it is seen that there is no allegation against the petitioners. Further, it is admitted position that petitioners 2 to 7 are living separately and they are not sharing the same roof. The first petitioner is the wife of Kumar, who is the son of the respondent. As regards husband and wife, there is no dispute. Taking advantage of his absence, the other in-laws had given false story about the first petitioner and there was a quarrel arose between the husband and wife. Though the first petitioner's husband used to come to the ground floor, not visited the first petitioner and her children who are residing in the second floor. The first petitioner was also being forced out from the residents. Hence, she filed a petition for restitution of conjugal rights in HMOP No.4261 of 2025 before the II Additional Family Court, Chennai and a domestic violence case in DVC No.49 of 2025 and as a counter blast, this petition has been filed.

5. The counsel for the respondent fairly submits that he has no objection with regard to the petitioners 2 to 7. As regards the first petitioner, he raises



strong objection. He submits that the first petitioner and the respondent were residing in the same household, wherein the respondent was subjected to cruelty and harassment at the hands of the first petitioner. Further the first petitioner abused the respondent in public and also forced her to move out from the home. Hence, the respondent seeking protection for her life, property had filed the present complaint.

6. Considering the rival submissions, it is seen that the respondent had earlier filed a Domestic Violence Case. The dispute, being one between the mother-in-law and the daughter-in-law, is a matter of fact which must be adjudicated during trial and not in the present quash application. In view of the same, the quash application, insofar as petitioners 2 to 7 are concerned, stands allowed. As regards the first petitioner, the trial court shall proceed with the DVC and the HMOP simultaneously, but separately, and pass order in both matters on the same day. Accordingly, this Criminal Original Petition stands partly allowed. Consequently, the connected miscellaneous petitions are closed.

20-04-2026

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No



To

The XVI Learned Metropolitan Magistrate, George Town, Chennai

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M.NIRMAL KUMAR J.

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