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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-11-2026

CORAM

THE HON'BLE MR JUSTICE N. ANAND VENKATESH

CRP No. 7124 of 2026
CNR:{HCMA012625152026}

Case QR

AND

CMP NO. 30697 and 30699 OF 2026

1. Pandian R
   S/o. Ramalingam

2. Vijaya .P
   W/o. R. Pandian

3. Ramya .G
   D/o. Pandian,
   W/o. Gokul Krishnan,

..Petitioner(s)

Vs

1. Sarumathi
   W/o. Madhankumar P,
   D/o. Pichaiyappan M

2. Madhankumar .P
   S/o. Pandian

..Respondent(s)

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India praying to strike off the proceedings in DVC No. 13 of 2026 on file of the Judicial Magistrate No. II, Chidambaram and pass orders.

For Petitioner(s): Mr. Kathiresan C

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Order

This Civil Revision Petition has been filed under Article 227 of the Constitution of India to strike off the proceedings in DVC No. 13 of 2026 on file of the Judicial Magistrate No. II, Chidambaram, insofar as the petitioners are concerned.

2. The respondent initiated proceedings under the Domestic Violence Act against the petitioners and sought for various reliefs. In this petition, the petitioners are the Father in law, Mother in law and sister-in-law were added as parties. According to the petitioners, they have been added as parties only to harass them and the proceedings initiated by the respondent is an abuse of process of law. Accordingly, the petitioners have sought for striking off the proceedings insofar as the petitioners are concerned.

3. Heard learned counsel for petitioners and carefully perused the materials available on record.

4. The issue raised in the present petition is squarely covered by the judgment of the Full Bench of this Court in ***Arul Daniel and others v. Suganya and others [2022 (6) CTC 833]***. The grievance expressed by the petitioners can be worked out in line with the guidelines issued in paragraph No.76(ix) of the aforesaid judgment and for proper appreciation, the same is extracted

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hereunder:-

> "76 (ix) In ***Kunapareddy*** (cited supra), the Hon'ble Supreme Court upheld the Order of a Magistrate purportedly exercising powers under Order 6, Rule 17 of the Civil Procedure Code, 1908 (hereinafter referred to as "C.P.C."), to permit the amendment of an Application under Section 12 of the D.V. Act. Taking a cue therefrom, it would be open to any of the Respondent(s), at any stage of the proceeding, to apply to the Magistrate to have their names deleted from the array of Respondents if they have been improperly joined as parties. For this purpose, the Magistrate can draw sustenance from the power under Order 1, Rule 10(2) of the C.P.C. A judicious use of this power would ensure that the proceedings under the D.V.Act do not generate into a weapon of harassment and would prevent the process of Court from being abused by joining all and sundry as parties to the lis."

5. The Full Bench made it very clear that an order under Article 227 of the Constitution of India striking off the proceedings will be passed only in cases where the Magistrate suffers from patent lack of jurisdiction. That is not the case here and the grievance expressed by the petitioners can be dealt with by the Court before which the Domestic Violence proceedings are pending.

6. In the light of the above discussion, it is left open to the petitioners to move an appropriate application before the Judicial Magistrate No.II, Chidambaram, seeking to delete their names from the array of respondents and the same will be dealt with on its own merits and in accordance with law after affording opportunities to both parties. If such an application is filed, it is left open to the respondent to file a counter. The petitioners shall be permitted to be represented through counsel and their presence is dispensed with.

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N.ANAND VENKATESH, J.

RKA

7. This Civil Revision Petition is disposed of in the above terms. No costs. Consequently, connected miscellaneous petitions are closed.

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Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

RKA

To
The Judicial Magistrate No. II, Chidambaram

CRP No. 7124 of 2026
AND
CMP NOs. 30697 and 30699 OF 2026

17-11-2026

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