



C.R.P.(PD) No.2219 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.07.2026

Coram

The Honourable **Mr.Justice Abdul Quddhose**

C.R.P.(PD)No.2219 of 2026

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C.M.P.Nos.9665 & 9025 of 2026

1. R.Leelavathi
- 2 R.Rani
- 3 R.Hemalatha
- 4 M.R.Dharani Chandran

..Petitioners

Vs.

- 1 A.Kothandaraman
- 2 M.S.Ramesh
- 3 S.Kosala

Civil Revision Petition filed under Article 227 of the Constitution of India to strike out the plaint in OS.No.7 of 2026 on the file of the District Munsif court Vandhavasi.

For Petitioners : Mr.G.Surya Narayanan

For Respondents : No appearance

ORDER

This Civil Revision Petition is filed seeking to strike off the plaint in O.S.No.7 of 2026 pending on the file of the District Munsif Court, Vandhavasi.

2. According to the petitioner, the suit filed in O.S.No.7 of 2026 on the file of the District Munsif Court Vandhavasi is an abuse of process of

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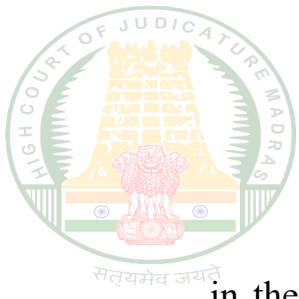
law on the ground that this Civil Revision Petition is filed under Article 227 of the Constitution of India.

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3. The law is now well-settled in a recent decision rendered by the Hon'ble Supreme Court in the case of **P.Suresh Vs. D.Kalaivani and others** reported in **2026 (2) CTC 84** that a party cannot file a Petition under Article 227 of the Constitution of India seeking to strike off the entire plaint when there is an alternate remedy available to him/her to file an application before the Trial Court seeking for rejection of the plaint.

4. Admittedly, the relief that is sought for in this Civil Revision Petition filed under Article 227 of the Constitutions of India can very well be sought for by the petitioner before the Trial Court by filing an application under Order 7 Rule 11 CPC seeking for rejection of the plaint.

5. The learned counsel appearing for the petitioners also fairly concedes the said fact.



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6. In the aforesaid decision rendered by the Hon'ble Supreme Court

in the case of **P.Suresh Vs. D.Kalaivani and others** reported in **2026 (2)**

CTC 84 referred to *supra*, it is also made clear by the Hon'ble Supreme

Court that in a Petition filed under Article 227 of the Constitution of India,

Court can strike off only a portion of the pleadings and not the entire plaint.

7. For the foregoing reasons, this Civil Revision Petition is disposed of by granting liberty to the petitioner to file an application under Order 7 Rule 11 of CPC before the Trial Court seeking for rejection of the plaint filed in O.S.No.7 of 2026 on the file of the District Munsif, Vandhavasi. As and when such an application is filed, the Trial Court shall dispose of the same as expeditiously as possible. No costs. Consequently, connected miscellaneous petitions are closed.

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Index : yes/no

Neutral Citation : yes/no

To

The District Munsif, Vandhavasi.

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Abdul Quddhose,J.,

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