



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-07-2026

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THE HON'BLE MR JUSTICE ABDUL QUDDHOSE

**CRP No. 2491 of 2026
AND
CMP NO. 10579 OF 2026**

G.Solaiappan

..Petitioner

Vs

1. G.Velrajan
2. K.Rajalakshmi
3. G.Kanagavel

..Respondents

Prayer : Civil Revision Petition is filed under Article 227 of Constitution of India, praying to set aside the fair and decretal order dated 09.12.2025 in I.A.No.4/2024 in O.S.No.9567/2021 on the file of XX Additional City Civil Court, Chennai.

For Petitioner: Mr.K.Thenrajan

For Respondents: Mr.N.Sivaprakash

ORDER

This Civil Revision Petition has been filed challenging the impugned order dated 09.12.2025 passed by the XX Assistant City Civil Court at Allikulam, Chennai – 3 in I.A.No.4 of 2024 in O.S.No.9567 of 2021.

2. In the aforesaid order, the application filed by the petitioner, who is the defendant in the suit under Order VII Rule 11 CPC seeking rejection of plaint



has been dismissed. The respondents are the plaintiffs in the suit and the suit was filed for partition. The trial court under the impugned order has dismissed the application filed by the petitioner under Order VII Rule 11 CPC on the ground that the High Court in C.R.P.No.3058 of 2023 granted liberty to the petitioner to file additional written statement for the additional pleas raised by them, which includes the pleas raised through an application filed by them under Order VII Rule 11 CPC through I.A.No.4 of 2024, which has been dismissed in the impugned order. Having granted the right to file additional written statement by the High Court in C.R.P.NO.3058 of 2023 and having filed the same in compliance of the directions of the High Court, the question of the trial court entertaining an application under Order VII Rule 11 CPC seeking rejection of plaint does not arise.

3. Learned counsel for the petitioner contends before this Court that in the impugned order, the question of partial partition raised by the petitioner has not been considered. According to him, the respondents/plaintiffs have admitted that they have not included all the properties while filing the partition suit and therefore, the suit filed by the respondents/plaintiffs including certain properties is not maintainable.

4. As observed earlier, all those contentions will have to be agitated when the main suit is taken up for consideration by the trial court as the petitioner has



already filed the additional written statement, which includes the said plea as well. The suit is of the year 2021. At this stage, this Court cannot interfere with the impugned order as it will only delay the disposal of the suit in O.S.No.9567 of 2021.

5. Without expressing any opinion on the merits of the petitioner's contentions as raised in this revision, this Court is disposing of this Civil Revision Petition by not interfering with the impugned order and by directing the trial court, namely the XX Additional City Civil Court at Allikulam, Chennai – 3 to dispose of the suit in O.S.No.9567 of 2021, after framing the additional issues on account of the additional written statement taken on file, within a period of one (1) year from the date of receipt of a copy of this order. No costs. Consequently, the connected miscellaneous petition is closed.

10-07-2026

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

The XX Additional City Civil Court at Allikulam, Chennai.



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ABDUL QUDDHOSE J.

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