



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-07-2026

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THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE

CRP No. 3783 of 2026

AND

CMP NO. 16423 OF 2026

1. P.Sivakumar

Petitioner(s)

Vs

1. Chinnapillai

2.Bhoovaraghavan

3.Poovazhagan

4.Rathinavelu

Respondent(s)

PRAYER

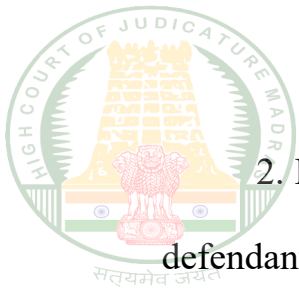
Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the fair and final order dated 13.03.2026 passed in IA No.3/2022 in OS No.192/2015 on the file of District Munsif Court, Mettur, Salem District and allow the Civil Revision Petition and thus render justice.

For Petitioner(s): Mr.N.Srinivasan

For Respondent(s): Notice dispensed with

ORDER

This Civil Revision Petition has been filed, challenging the impugned order dated 13.03.2026 passed by the District Munsif Court, Mettur, Salem District in I.A. No. 3 of 2022 in O.S. No. 192 of 2015.



2. In the aforesaid order, the application filed by the petitioner, who is the defendant in O.S. No. 192 of 2015, seeking for rejection of the plaint under Order VII Rule 11 of CPC, has been dismissed on the following grounds:

a) The trial Court held that the doctrine of *res judicata* could not be invoked for dismissing the petitioner's application;

b) The trial Court also held that the alleged suppression of material facts did not warrant rejection of the plaint.

3. Aggrieved by the dismissal of the application filed under Order VII Rule 11 of CPC, this Civil Revision Petition has been filed.

4. The learned counsel for the petitioner would submit that the suit schedule property is absolutely owned by the petitioner/defendant, and the same has also been confirmed by the judgment rendered by this Court in S.A. No. 1567 of 2008 dated 23.03.2021. Therefore, he would submit that the application filed by the petitioner in I.A. No. 3 of 2022 under Order VII Rule 11 of CPC ought to have been allowed by the trial Court. However, this Court notices that I.A. No.3 of 2022 was filed by the petitioner/defendant only in the year 2022, whereas the suit was filed by the respondents/plaintiffs in the year 2015 itself. The written statement has also been filed by the petitioner/defendant, and only



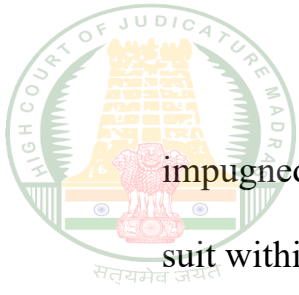
thereafter, the petitioner/defendant chose to file I.A. No. 3 of 2022.

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5. The trial Court has also given reasons for dismissing the petitioner's application. This Court is not deciding in this Civil Revision Petition as to whether these reasons are correct or not, but since the suit is now ripe for trial, and since the application for rejection of plaint was filed by the petitioner/defendant only in the year 2022, after a lapse of almost seven years from the year of the suit, this Court is not inclined to interfere with the impugned order at this stage.

6. The only limited relief that can be granted by this Court in this Civil Revision Petition is to direct the trial Court to dispose of the suit within a time frame to be fixed by this Court, after giving due consideration to the contentions raised by the petitioner/defendant that in S.A. No. 1567 of 2008, by the judgment of this Court dated 23.03.2021, the petitioner has been declared to be the absolute owner of the suit schedule property.

7. This Court has not perused the said judgment, but is only reiterating the contentions of the petitioner in this Civil Revision Petition. Uninfluenced by any of the observations made by this Court in this order, as well as the



impugned order, but independently, the trial Court will have to dispose of the suit within a time frame to be fixed by this Court.

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8. Accordingly, this Court is not interfering with the impugned order, but is directing the District Munsif Court, Mettur, Salem District, to dispose of O.S. No. 192 of 2015 after conducting trial within a period of eight months from the date of receipt of a copy of this order.

9. Accordingly, this civil revision petition is disposed of. No Costs. Consequently, connected miscellaneous petition is closed.

14-07-2026

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No
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To
The District Munsif Court, Mettur, Salem District.

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ABDUL QUDDHOSE J.

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