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CRP No. 4609 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-08-2026

CORAM

THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE

CRP No. 4609 of 2026

Kirushnan

Petitioner(s)

Vs

1. Gokul Kumar

2. Chandirabose

3. Krishnaveni

4. Rani

5. Padma

6. Mageshwari

7. Malathi

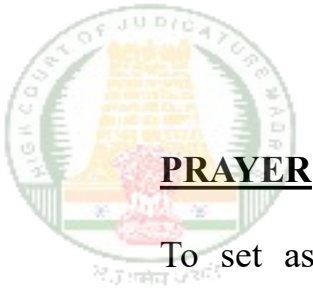
8. Mari

9. The Sub Registrar
Morappur Sub Registration Officer,
Harur Taluk, Dharmapuri Dt.

10. The Tahsildar
Harur Taluk, Dharmapuri Dt.

11. The District Collector
Dharmapuri.

Respondent(s)

**PRAYER**

To set aside the order of returning the plaint dated 22.04.2026 made in Unnumbered OS Sr.No.680 of 2026 on the file of the Sub Court, Harur, Dharmapuri.

For Petitioner(s): Mr.M.Sivakumar

For Respondent(s): Ms.S.Yogalakshmi,
AGP for R9 to 11

ORDER

This Civil Revision Petition has been filed, challenging the impugned docket order dated 22.04.2026 passed by the Subordinate Court, Harur, Dharmapuri District in Unnumbered OS Sr.No.680 of 2026.

2.In the aforesaid docket order, the plaint filed by the petitioner in OS Sr.No.680 of 2026 on the file of the Subordinate Court, Harur, Dharmapuri has been returned on the ground of improper valuation of the suit. The petitioner contends that the suit has been properly valued. According to the petitioner, though the entire sale consideration in the sale deed is mentioned as Rs.50,50,000/-, the property covered under the suit properties is also valued based on the sale deed and related to the share of the petitioner/plaintiff and therefore, according to the petitioner, the suit has been rightly valued for a sum of Rs.3,43,250/- and court fee has also been paid proportionately.



3.The suit has been filed seeking to cancel the sale deed. The petitioner's claim pertains to item Nos.1, 6, 16, 21 and 22 in the sale deed and therefore, according to the petitioner, proportionately, the petitioner had valued the suit correctly.

4.As seen from the impugned docket order, the petitioner's counsel was not granted an opportunity by the trial Court to make his submissions with regard to the proper valuation of the suit by the petitioner/plaintiff. As seen from the docket order, the petitioner has complied with the returns by stating the very same reasons that have been stated in this Civil Revision Petition. However, this Court notices that there is no speaking order passed by the trial Court with regard to the petitioner's contention that the suit has been properly valued.

5.Since the impugned docket order is a non-speaking order and the Trial Court has not considered the petitioner's contentions as raised in this Civil Revision Petition, this Court is of the considered view that no prejudice would be caused to any of the parties if the impugned order is set aside by this Court and the matter is remanded back to the trial Court for fresh consideration, on merits and in accordance with law.

6.Accordingly, the impugned docket order dated 22.04.2026 passed in un-numbered O.S. No.680 of 2026 on the file of the Subordinate Court, Harur,



Dharmapuri is hereby set aside by this Court and this Civil Revision Petition is disposed of by directing the Subordinate Court, Harur, Dharmapuri to list O.S.

Sr.No.680 of 2026 for maintainability on a specified date. On that date, the counsel for the petitioner shall try to convince the Subordinate Court, Harur, Dharmapuri that the petitioner/plaintiff had valued the suit correctly and has also paid the court fee correctly and if the trial Court is convinced that the suit has been properly valued and court fee has also been paid, the trial Court shall number the suit, if it is otherwise in order. If the trial Court finds that the suit has not been properly valued, it shall pass a speaking order with regard to the contentions of the petitioner that the suit has been properly valued. The trial Court shall complete the aforesaid exercise within a period of four weeks from the date of receipt of a copy of this order. No costs.

7.Registry is directed to return the plaint filed in O.S.Sr. No.680 of 2026 to the learned counsel for the petitioner to enable the petitioner to re-present the plaint before the Subordinate Court, Harur, Dharmapuri.

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To
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The Subordinate Court, Harur, Dharmapuri



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ABDUL QUDDHOSE J.

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