



WEB COPY

CRP No. 3568 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-07-2026

CORAM

THE HON'BLE MR JUSTICE ABDUL QUDDHOSE

CRP No. 3568 of 2025

1. Murugesu Pandian
2. Baskaran
3. Suyambu Lingam
4. Annadurai
5. Jaganathan
6. Arunachalam
7. Dhanapal

..Petitioner(s)

Vs

Thiruninravur Sri Iyyappa Bakthargal Sabha
Rep by

1. Mr. Kailasam S/o. Elumalai, 3rd Street,
Natchiyar Chathiram, Nadukuthagai,
Thiruninravur, Thiruvallur 602024.

2. Mr.Lakshmikanth Adhi

3.Mr. A.Suresh

4.Mr.Saikumar

..Respondent(s)



Civil Revision Petition filed under Article 227 of Constitution of India praying to set aside the Docket Order dated 12.12.2024 in I.A. No. 3 of 2024 in O.S No. 536 of 2024 on the file of the Principal District Judge, Thiruvallur.

For Petitioner(s): Mr.Meiyyappan Mohan

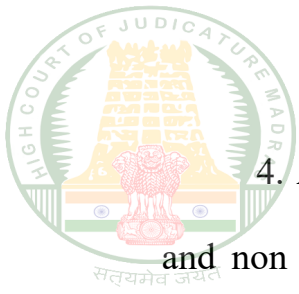
For Respondent(s): Mr.K.Balaji
For R1 to 4

ORDER

This Civil Revision Petition has been filed challenging the impugned docket order dated 12.12.2024 passed in I.A.No.3 of 2024 in O.S.No.536 of 2024 on the file of the Principal District Court, Tiruvellore.

2. In the aforesaid docket order, the application filed by the petitioner under Order 1 Rule 8 of Civil Procedure Code seeking permission to file the suit in a representative capacity has been allowed.

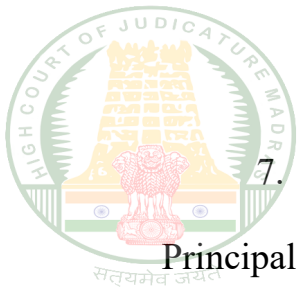
3. The petitioners are the defendants in the suit O.S.No.536 of 2024 on the file of Principal District Court, Tiruvellore. Their contention is that the procedure contemplated under Order 1 Rule 8(2) CPC for permitting the plaintiffs to sue the defendants in a representative capacity has not been followed, by non issuance of notice.



4. As seen from the impugned order, the Trial Court by a non reasoned and non speaking order has allowed I.A.No.3 of 2024 filed by the plaintiffs under Order 1 Rule 8 CPC. As seen from Order 1 Rule 8(2) of CPC whenever the Court grants permission or issues a direction for a representative suit, the Court shall issue such a notice of the said representative suit to all interested persons at the plaintiff's expense, either by personal service or by public advertisement, in case personal service is not practical owing to the number of persons in the suit.

5. In the case on hand, in the impugned order, the aforesaid direction regarding notice has not been ordered. The respondents have also not placed on record any documents before this Court, till date to prove that the procedure contemplated under Order 1 Rule 8 (2) of C.P.C was adhered to by the Trial Court subsequent to the passing of the impugned order. Therefore, it can be inferred that the procedure contemplated under Order 1 Rule 8 (2) of C.P.C. has not been adhered to by the Trial Court.

6. For the foregoing reasons, the impugned order has to be necessarily set aside by this Court and the matter has to be remanded back to the Trial Court for fresh consideration of I.A.No.3 of 2024 filed by the plaintiffs in O.S.No.536 of 2024, within a time frame to be fixed by this Court.



7. Accordingly, the impugned order dated 12.12.2024 passed by the Principal District Court, Tiruvallur in I.A.No.3 of 2024 in O.S.No.536 of 2024 is hereby set aside by this Court and the matter is remanded back to the very same Court for fresh consideration of I.A.No.3 of 2024 on merits and in accordance with law. The Principal District Court at Thiruvallur is directed to dispose of I.A.No.3 of 2024 in O.S.No.536 of 2024 by following the procedure contemplated under Order 1 Rule 8(2) of C.P.C. , within a period of **six weeks** from the date of receipt of a copy of this order.

8. Accordingly, this Civil Revision is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

30-07-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

arr

Note: Issue order copy on 31.07.2026



WEB COPY

CRP No. 3568 of 2



ABDUL QUDDHOSE, J.

arr

CRP No. 3568 of 2025

30-07-2026



WEB COPY

CRP No. 3568 of 2

