



C.R.P. Nos. 2767 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.07.2026

CORAM

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

C.R.P. No. 2767 of 2026

S. Selvamuthukumaran

..Petitioner

Vs.

K. Sharmila

..Respondent

Prayer: Civil Revision Petition under Article 227 of the Constitution of India to set aside the order dated 06.12.2025 passed in unnumbered O.S. NO. (SR No. 2146 of 2025) by the learned Principal District Munsif, Thiruvallur and to number the same.

For Petitioner :: Mr.K. Gandhi Kumar

O R D E R

This civil revision petition has been filed challenging the order dated 06.12.2025 passed by the Principal District Munsif, Thiruvallur in unnumbered O.S.SR.No. 2146 of 2025 ordering for rejection of plaint filed by the petitioner in case the petitioner fails to pay the court-fee as per



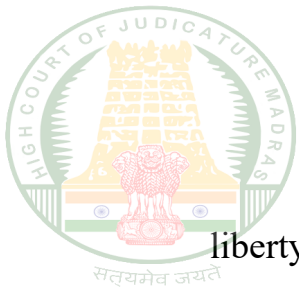
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Section 25(b) of Tamil Nadu Court-Fees and Suits Valuation Act, 2017

(hereinafter, 'the Act, 2017' in short) on or before 16.12.2025 by invoking Order VII Rule 11(b) CPC.

2. The petitioner/plaintiff filed the suit seeking leave to declare him as the co-owner of the suit property and valued the same under Section 25(d) of the Act, 2017. According to the petitioner, the suit has been valued under Section 25(d) of the Act, 2017 since he has only claimed the relief of declaration and not sought for any other consequential relief. The petitioner categorically contends that the suit has been properly valued and therefore, the suit has to be numbered and summons have to be issued to the defendant in the suit. However, after making several returns, the Court below has finally passed the impugned order directing the petitioner to pay the court-fees under Section 25(b) of the Act, 2017 on or before 17.12.2025 failing which the Court below has ordered that the plaint filed by the petitioner shall be rejected by invoking Order VII Rule 11(b) CPC.

3. Learned counsel for the petitioner once again reiterates that the suit filed by the petitioner has been properly valued under Section 25(d) of the Act, 2017. He would also submit that without granting any



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liberty to the petitioner to convince the Court that the suit filed by him has been properly valued, the Court below has passed the impugned order.

4. As could be seen from the impugned order, no opportunity of hearing was granted to the petitioner's counsel to substantiate the petitioner's case that the suit filed by the petitioner has been properly under Section 25(d) of the Act, 2017. The suit was not posted for maintainability before the Court below and without granting any liberty, the Court below has passed the impugned order ordering for rejection of plaint by invoking Order VII Rule 11(b) CPC in case, the petitioner fails to pay the court-fee for the suit under Section 25(b) of the Act, 2017. Necessarily, the Court below ought to have listed the matter for maintainability to enable the petitioner's counsel to convince the Court that the suit has been properly valued by the petitioner. Having not granted such liberty and having not considered the petitioner's contentions, as raised in this civil revision petition, this Court is of the considered view that the impugned order has to be quashed and the matter has to be remanded back to the Trial Court for fresh consideration with regard to proper valuation of the suit filed by the petitioner.



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5. For the foregoing reasons, the impugned order dated 06.12.2025 passed by the learned Principal District Munsif, Thiruvallur, in unnumbered O.S. SR. No. 2146 of 2025 is hereby set aside by this Court and the matter is remanded back to the Court below for fresh consideration with regard to proper valuation of the suit filed by the petitioner and the learned Principal District Munsif, Thiruvallur, is directed to list the unnumbered O.S.SR. No. 2146 of 2025 filed by the petitioner/plaintiff for maintainability on 05.08.2026. On that day, the petitioner's counsel shall try to convince the learned Principal District Munsif, Thiruvallur, that the aforesaid suit has been properly valued as per the provisions of the Act, 2017 and if the Trial Court is convinced that the suit has been properly valued, subsequent to the submissions made by the petitioner's counsel, the Trial Court shall number the suit, if it is otherwise in order and if the Trial Court comes to the conclusion that the suit has not been properly valued, the Trial Court shall pass a speaking order as to why the suit has not been properly valued after giving due consideration to the submissions made by the learned counsel for the petitioner, when the matter is listed for maintainability.



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6. The Civil Revision Petition is disposed of accordingly.

No costs.

7. The Registry of this Court is directed to return the original plaint filed in unnumbered O.S.SR. No. 2146 of 2025 to the petitioner to re-present the same before the learned Principal District Munsif, Tiruvallur to enable the learned Principal District Munsif, Tiruvallur to post the case for maintainability.

07.07.2026

nv

To

The Principal District Munsif, Tiruvallur.



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ABDUL QUDDHOSE,J.

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