



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

**DATED: 10.08.2026**

CORAM

**THE HON'BLE MR.JUSTICE S. SOUNTHAR**

**CRP (MD) No.2204 of 2026 and  
CMP (MD) No.10522 of 2026**

O.Rajam, W/o Ondiyappillai

... Petitioner

Vs.

1. Nagendran, s/o Raju Pillai
  2. Dhanapal, s/o Periyanna Pillai
  3. Panchalai, w/o Sundaramoorthy
  4. Jayalakshmi , w/o Gopal
  5. Rajasekaran , s/o Gopal
  6. N.Govindaraj, s/o Natarajapillai
  7. O.Thirupathiraja, S/o Ondiyapillai
- Ondiya Pillai (died)

8. G.Vadivel, S/o N.Govindaraj

... Respondents

**Prayer:** Civil Revision Petition is filed under Article 227 of the Constitution of India to set aside the impugned order of return dated 20.07.2026 passed in I.A.Sr. No.8610 dated 20.07.2026 in O.S.No.1544 of 2002 on the file of Second Additional District Munsif, Trichirappalli by allowing this civil revision petition and direct the Second Additional District Munsif, Trichirappalli to



number the application presented by the petitioner.

WEB COPY For Petitioner(s): Mr.Naveen Sundar, T.

### **ORDER**

This civil revision petition has been filed challenging the order of return dated 20.07.2026 by the learned II Additional District Munsif, Tiruchirappallai.

2. The petitioner herein filed an application seeking his impleadment as legal heir of the deceased 2<sup>nd</sup> defendant. The said application was returned by the Trial Court on 13.07.2026 by directing the petitioner to produce legal heirs certificate. The petitioner re-presented the papers on 20.07.2026 stating that legal heirs certificate has not been furnished him so far and he also undertook to produce the same. Again, the papers were returned by the Trial Court mainly on the ground that a petition with similar prayer was dismissed already in I.A.No.8 of 2022 by order dated 25.11.2022. Aggrieved by the said return, the petitioner has come before this court.

3. The learned counsel for the petitioner would submit that earlier, the 3<sup>rd</sup> defendant filed an impleading application to implead the petitioner and the



same was dismissed for default for non payment of batta by the 3<sup>rd</sup> defendant.

Hence, according to the counsel, the earlier order was not one passed on merits and hence, the petitioner is entitled to maintain the present petition.

4. If the petition filed by the petitioner is returned by the Trial Court raising objection, the petitioner has to re-present the papers by offering his explanation and instead of re-presentation, the petitioner is not entitled to invoke the supervisory jurisdiction of this court.

5. In view of the above, this civil revision petition is dismissed with the following directions:-

a) The petitioner is directed to re-present the papers within a period of two weeks from the date of receipt of copy of this order by offering his explanation.

b) On such re-presentation, if the trial court is satisfied with the explanation offered by the petitioner, shall number the petition and dispose of the same in accordance with law. On the other hand, if the trial court is not satisfied with the explanation offered by the petitioner, shall call the petition in open court and after hearing the petitioner, shall pass orders on merits.

c) The Registry is directed to return the original I.A papers to the learned counsel for the petitioner.

There shall be no order as to costs. Connected miscellaneous petition is closed.



**10.08.2026**

**Note:** Registry is directed to upload the order copy today

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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**S.SOUNTHAR, J.**

**MST**

To

The II Additional District Musif, Trichirappallai.

**CRP (MD) No.2204 of 2026**

**10.08.2026**