

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.09.2021

CORAM:

THE HONOURABLE Mr. JUSTICE G.CHANDRASEKHARAN

C.R.P.(PD). No.1855 of 2021

(Through Video Conference)

1. Habeeed Khan

2. Zabi Khan

3. Zakirkhan

4. Zaheer Khan

5. Naseema

6. Jaheda

7. Bakash

8. Shyera Banu

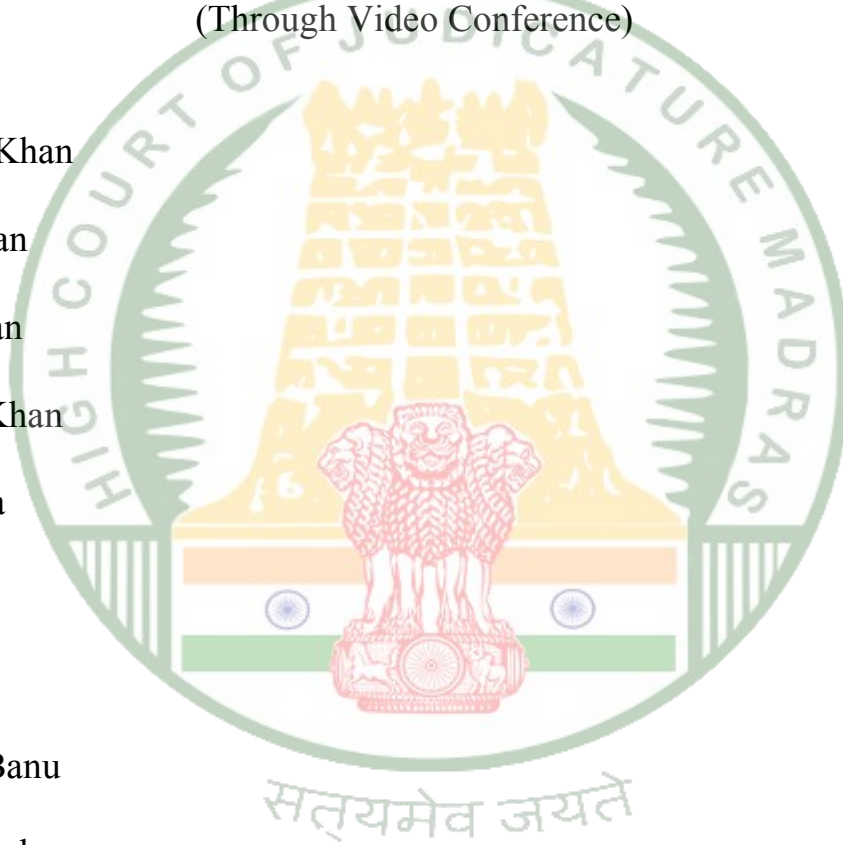
9. Shaik Shabeer

10. Shek Jabir

11. Shanu

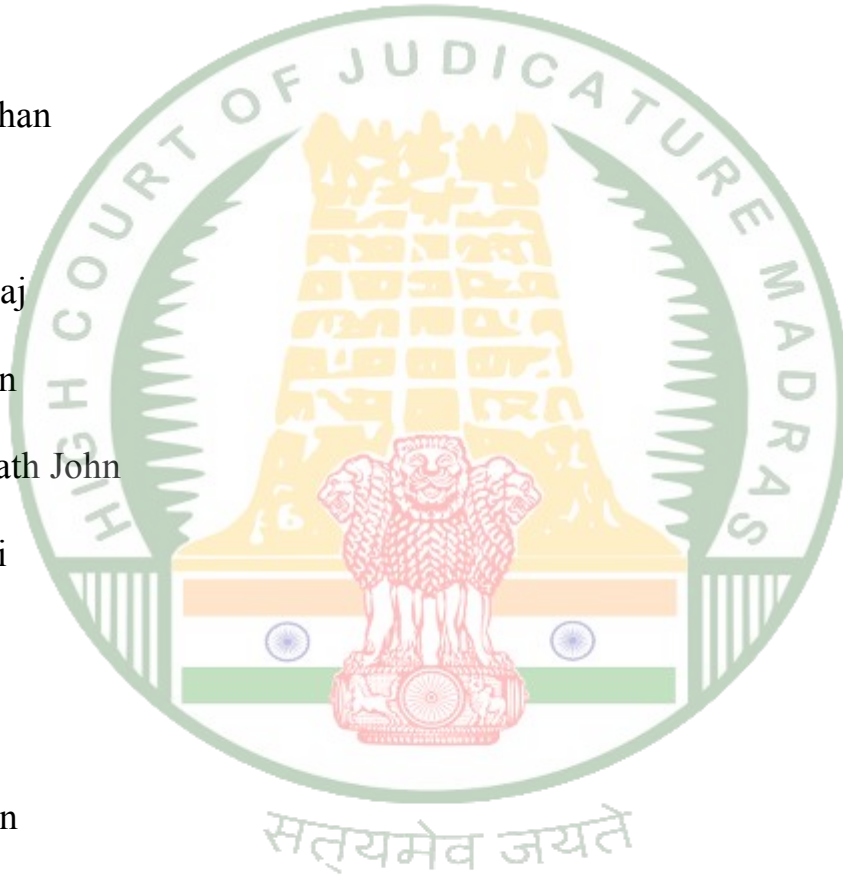
12. Asmathunissa

13. Faijun Bee



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14. Ameen
15. Salmankhan
16. Fayaz Khan
17. Shahulamith
18. Seema
19. Ayub Khan
20. Fairoz
21. Rahin Taj
22. Yasmeen
23. Mohamath John
24. Saidaabi
25. Rajesh
26. Sansi
27. Hapirkan
28. Jarena Bee
29. Madhar Khan
30. Munna
31. Mubeena
32. Nageena



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33. Shabreen

34. Anwar

35. Noor Basha

36. Rafiq Khan

37. Bathula Bee

38. Zahoor Bi

39. Sabeerabhi

40. Abdul Malik

41. Inayath Ulla Khan

42. Ragayabeevi

43. Asmath

44. Shamsudeen

45. Parveen

46. Parthikan

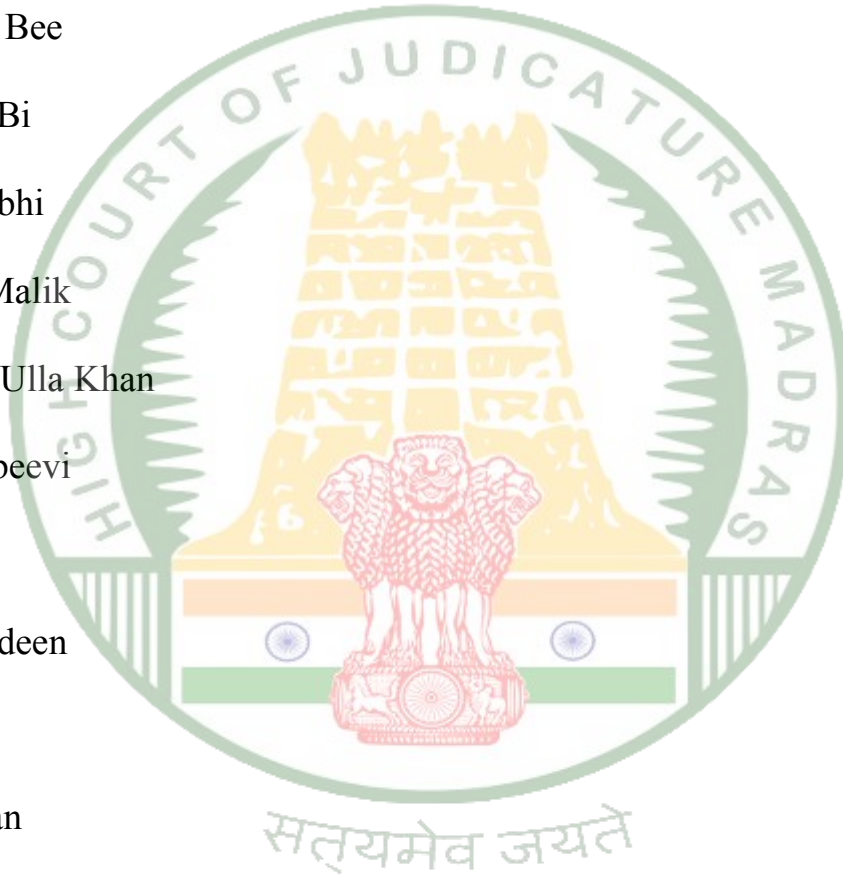
47. Yunusbai

48. Ibrahim

49. Mubeeb Khan

50. Chand Basha

51. Ansar Basha



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52. Jareena

53. Majabee

54. Balkisbanu

55. Shabeena

56. Jabintaj

57. Thasina

58. Mohammed Akbar

59. Mohammed Yasin

60. Mohammed Hussain

61. Ramiza

62. Fathima

63. Shakila

64. Zareena

65. Mohammed Haneef Khan सत्यमेव जयते

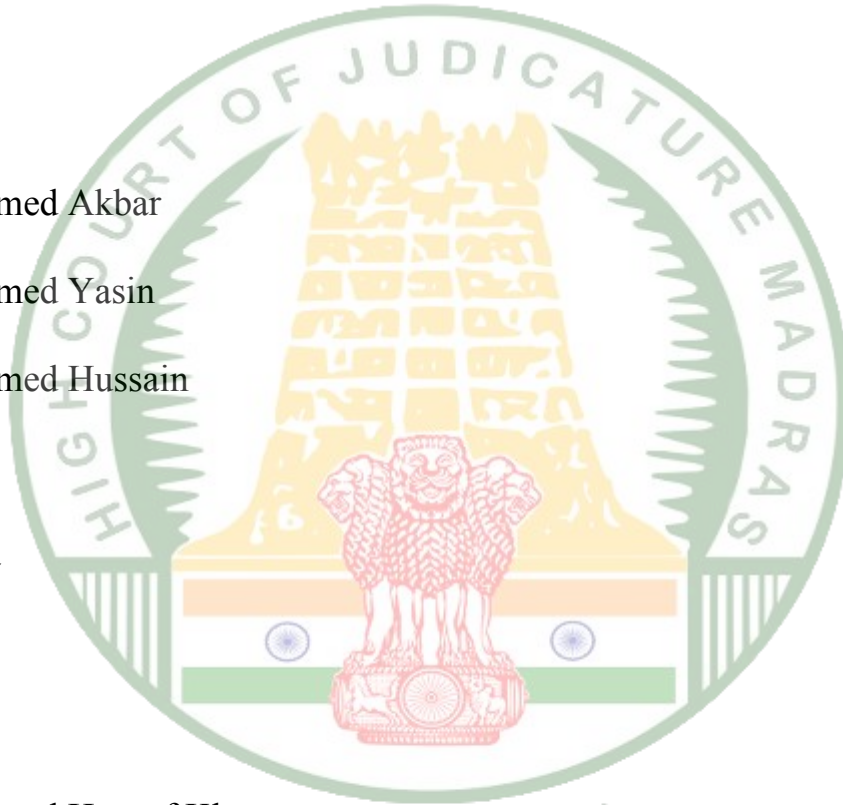
66. Faritha

67. Nasreen Taj

68. Rehanebegum

69. Shahimtaj

70. Yasmin taj



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71. Imrankhan

72. Rizwan

73. Usman khan

74. Merun bi

75. Magboolbe

76. Hafib Khan

77. Mahaboop Basha

78. Ameena

79. Sadiqjan

80. Irfana

81. Farzana

82. Shamshu

83. Anwar sahib

84. Suriya bee

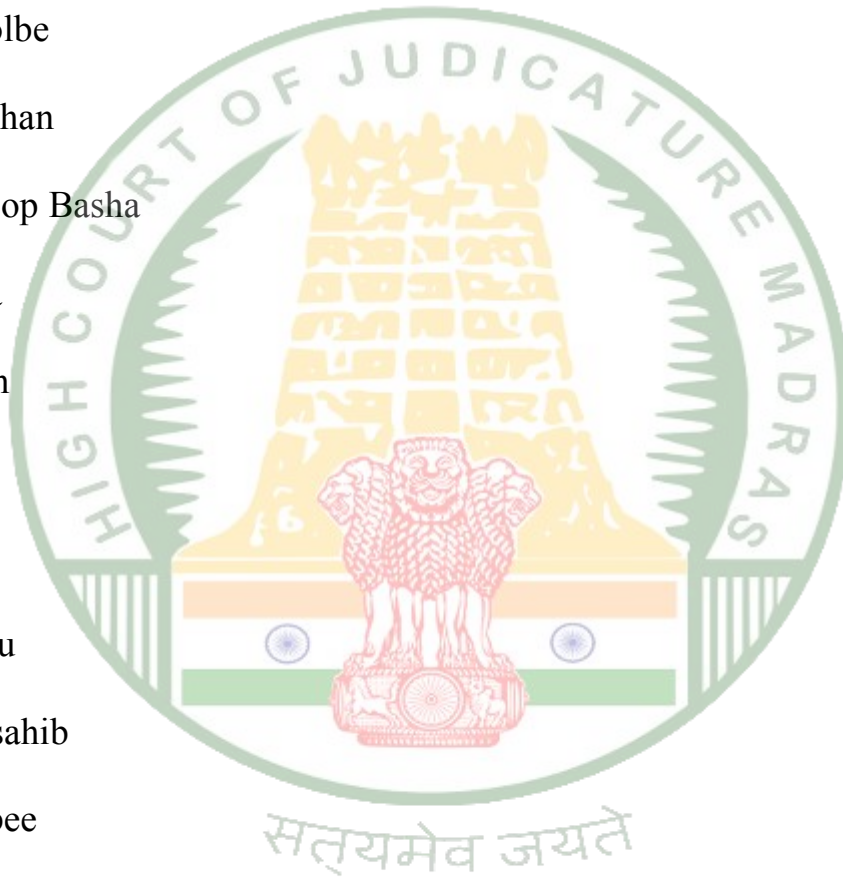
85. Shamshathbegam

86. Asrafi

87. Rizwan

88. Malin

89. Jeelan



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90. Irfan

91. Salman

92. Imran

93. Aatham

94. Jamruth

95. Farook Sayabu

96. Parvin

97. Makpulsab

98. Inyath khan

99. Chan khan

100. Gorima

101. Dhasthugisayabu

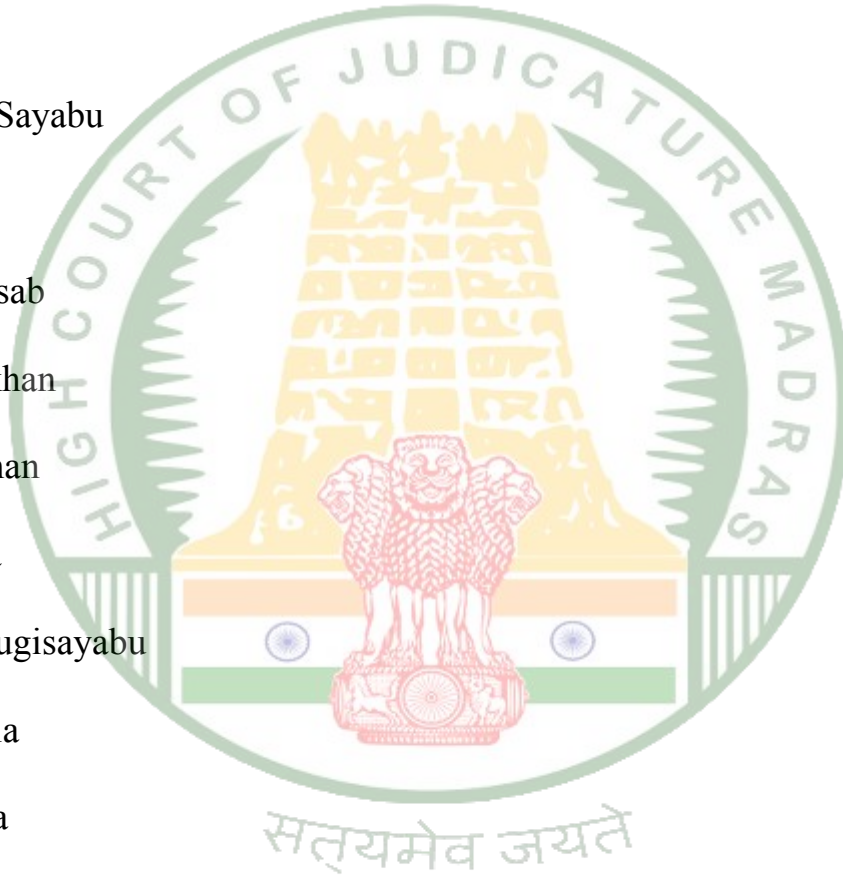
102. Shakkila

103. Zahidaa

104. Aktharbegam

105. Naseem

106. Shamshad

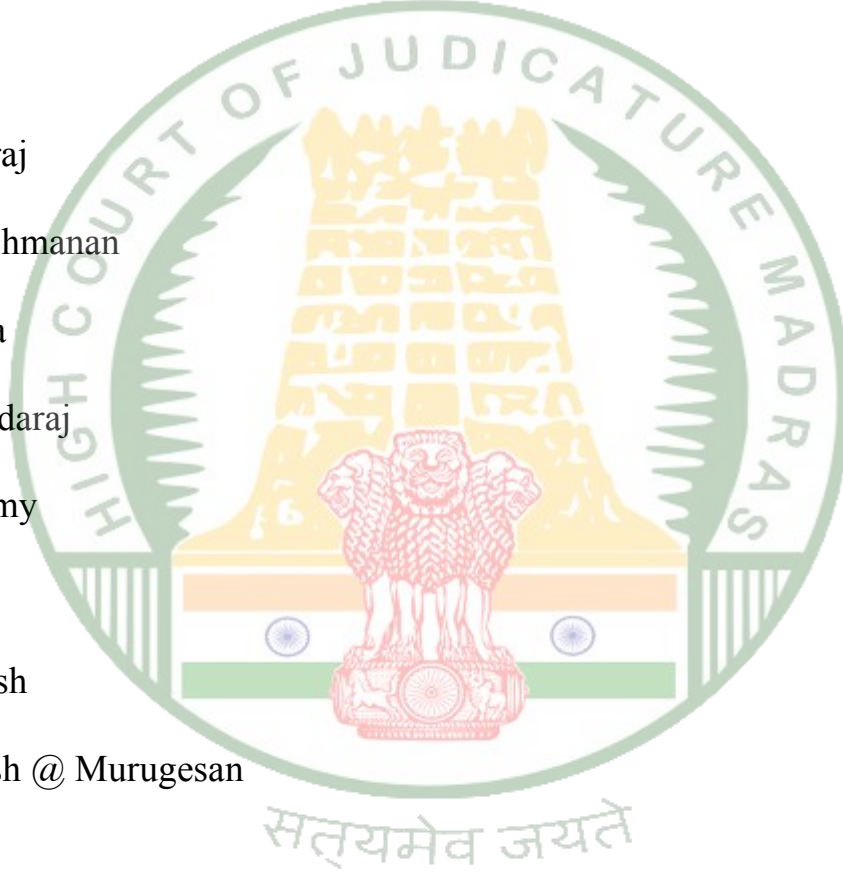


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...Petitioners

Versus

1. Sankarappa
2. Jayappa
3. Venkatachalapathi
4. Sasikala
5. Rani
6. Govindaraj
7. Munilakshmanan
8. Basamma
9. C. Govindaraj
10. Munusamy
11. Nagaraj
12. Venkatesh
13. Muruges @ Murugesan
14. Anjappa
15. Venkatesh
16. Santhamma
17. Syed Jabeer
18. Fareeth khan
19. Fathima



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...Respondents

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India to direct the Principal District Court at Krishnagiri to number the suit filed in unnumbered O.S.S.R.No.1427 of 2020 by allowing the present Civil Revision Petition.

For Petitioners : Mr. R. Jayaprakash

ORDER

This Civil Revision Petition is filed to direct the learned Principal District Judge, Krishnagiri to number the suit filed in unnumbered O.S.S.R. No.1427 of 2020.

2. The learned counsel for the petitioners submitted that the suit was filed by the 106 plaintiffs against 19 defendants with a prayer to declare the right, title, interest in respect of the suit schedule properties in favour of the plaintiffs, deliver possession, mandatory injunction along with prayer for declaring several documents starting from the year 1912 to be declared as null and void.

3. The plaint contains about twenty six (26) prayers. A plain reading of the plaint and the prayers asked, obviously show that the prayers are barred by

limitation. However, the learned Principal District Judge, Krishnagiri instead of passing orders either to number the plaint or to reject the plaint, made a return that, "as to how this suit is maintainable after 100 years from the date of partition". It appears that the return had been complied by the petitioners, giving reasons for bringing the suit. Repeated return of plaint is not a solution for the issue.

4. The learned Principal District Judge, Krishnagiri should either number the plaint, if it is legally maintainable or reject the plaint if it falls within the ambit of Order VII Rule 11 of the Civil Procedure Code. In this view of the matter, the learned Principal District Judge, Krishnagiri is directed to follow any of the aforesaid directions in dealing with the plaint and dispose the matter.

5. Accordingly, with the above directions, this **Civil Revision Petition is Disposed**. No costs.

13.09.2021

Index: Yes/ No

Speaking Order / Non-Speaking Order

G.CHANDRASEKHARAN, J.,

sts/jai

To:

The Principal District Judge,
Krishnagiri.



Order made in
C.R.P.(PD). No.1855 of 2021

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Dated:
13.09.2021