



BEFORE THE MADURAI BENCH OF MADRAS HIGH Court

DATED: **17.09.2021**

CORAM

**THE HON'BLE MRS.JUSTICE S.ANANTHI**

C.R.P. (MD) Nos.1055 & 1057 of 2021

and

C.M.P. (MD) Nos.6139 & 6141 of 2021

C.R.P. (MD) No.1055 of 2021:

1.S.Shanmugeshwari  
2.A.Suresh

... Petitioners/Defendants 1 & 2

-Vs-

K.Boopathy

... Respondent/Plaintiff

C.R.P. (MD) No.1057 of 2021:

S.Shanmugeshwari

... Petitioner/2<sup>nd</sup> Defendant

-Vs-

1.A.Arumuga Nainar  
2.Mariya Don Bosco  
3.M.Paulsamy

... Respondents 1&2/Plaintiffs 1 & 2

4.The Government of Tamil Nadu,  
Rep. through its District Collector,  
Collectorate Complex,  
Virudhunagar.

... Respondents 3&4/Defendants 1 & 3

Common Prayer: Civil Revision Petitions filed under Article 227 of Constitution of India, to struck off the Plaint in OS No.81 of 2021 and O.S.No.54 of 2021 respectively, on the file of the learned District Munsif, Rajapalayam, Virudhunagar District.

C.R.P. (MD) No.1055 of 2021:

For Petitioners : Mr.C.Gangai Amaran  
For Respondent : Mr.M.Ashokkumar

C.R.P. (MD) No.1057 of 2021:

For Petitioner : Mr.C.Gangai Amaran  
For R1 : Mr.M.Ashokkumar  
For R2 & R3 : No appearance  
For R4 : Mr.A.Baskaran  
Government Advocate



**COMMON ORDER**

This Civil Revision Petitions have been filed to struck off the Plaint in OS No.81 of 2021 and O.S.No.54 of 2021 respectively, on the file of the learned District Munsif, Rajapalayam, Virudhunagar District.

2.The learned counsel for the petitioners wants to struck off the plaints, on the basis of the suppression of previous case pending between the parties.

3.Heard the learned counsel for the petitioners and the learned counsel for the respondents.

4.As per the specific provision in Civil Procedure Code, 1908, under Order 7 Rule 11, the plaint shall be rejected on the ground of suppression of facts. Hence, the revision petitioners are directed to file a petition under Order 7 Rule 11, before the District Munsif, Rajapalayam, Virudhunagar District.

5.With this observations, these Civil Revision Petitions are disposed of. However, there shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

PNM/SM

**Note:** In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate/litigant concerned.

To  
The District Munsif,  
Rajapalayam,  
Virudhunagar District.

+1 CC to M/s.SPL. GP ( SR-29571[F] dated 20/09/2021 )  
+1 CC to M/s.M.ASHOK KUMAR, Advocate ( SR-29657[F] dated 20/09/2021 )

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ES (CO)

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