



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **22.04.2022**

CORAM

WEB COPY

**THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR**

C.R.P (MD)No.2667 of 2014

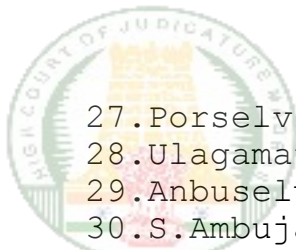
and

C.M.P (MD)Nos.6904 to 6906 of 2017

1.Pattam Chettiar  
2.K.Balachandar Chettiar  
3.P.Gurunathan Chettiar  
4.P.Sundar Chettiar  
5.M.Selvaraj Chettiar  
(24 Manai Telugu Chettiar Sangam Represented  
Sree Sathavaraya Swamy Temple Devotees  
Through Rep.they are community and on  
behalf of Society) ... Petitioners/Plaintiffs

**Vs.**

1.Krishna Moorthy  
2.Patchailingam  
3.Pitchai  
4.Ramamoorthy  
5.Muthusamy  
6.Karuppasamy  
7.Kumaran  
8.Murugesan  
9.Rathinavelu  
10.Chinnakaruppan  
11.Maragatham  
12.Rajamani  
13.C.Karmegam  
14.C.Sasikala  
15.C.Anand  
16.Manimegalai  
17.Nagarajan  
18.Venkadesan  
19.Suganthi  
20.Rajalakshmi  
21.Padmavathi  
22.Mathiselvi  
23.Kulanthai Therasu  
24.Selvirani  
25.S.Ganeshan  
26.Sundaram



27.Porselvi  
28.Ulagamatha  
29.Anbuselvi  
30.S.Ambujam  
31.K.S.Iyer Prakash  
32.D.Alex Pandian  
33.Marimuthupillai  
34.Kamatchi  
35.V.Selvam  
36.S.A.Chandhirababu

37.The District Registrar,  
Registrar Office,  
Dindigul District.

38.The Sub Registrar,  
Sub Registrar Office,  
Nilakottai Taluk,  
Dindigul District.

39.The District Collector,  
Collectorate Campus, Dindigul.

40.The Tahsildar,  
Tahsildar Office,  
Nilakottai Taluk,  
Dindigul District.

41.The Executive Officer,  
Nilakottai Town Panchayat,  
Nilakottai Taluk,  
Dindigul District.

42.The Executive Engineer,  
Administration and Maintenance EB,  
Nilakottai, Nilakkottai Taluk,  
Dindigul District.

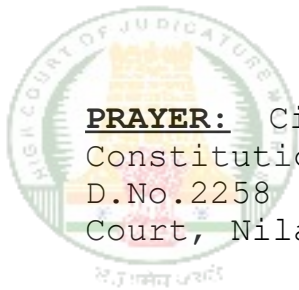
43.The Assistant Executive Engineer,  
Nilakottai Electricity Board,  
Nilakkottai Taluk, Dindigul District.

44.The Revenue Divisional Officer,  
Office of the Revenue Divisional Officer,  
Dindigul Town, Dindigul District.

(Respondents 3,5,6,7,15,21,22,27,28,29,31,41  
called absent Set -exparte)

**(Hence notice dispensed with)**

... Respondents/Defendants



**PRAYER:** Civil Revision Petition is filed under Article 227 of Constitution of India against the order, dated, 31.10.2014, in D.No.2258 in O.S.No.58 of 2012 on the file of the District Munsif Court, Nilakottai.

For Petitioners : Mr.D.Rajkumar  
For Respondents : Mr.P.Mahendran for R36  
Mr.A.Kannan  
Additional Government Pleader  
for R37 to R40, R42 to R44  
No Appearance  
for R1 to R35 & R41

**ORDER**

The plaintiffs are the revision petitioners.

2.The plaintiffs have filed a suit for declaration of title, permanent injunction and for mandatory injunction. The learned trial Judge has passed an order, dated, 18.11.2014 that the value of the property is more than Rupees One Crore and based upon the said ground, the trial Court has returned the plaint for presentation before the competent Court, having jurisdiction by paying necessary Court fee. The trial Court has granted two months for representation of the plaint.

3.The trial Court has passed the order under Order 7 Rule 10 of the Code of Civil Procedure. The said order is an appealable order under Order 43 Rule 1(a) of the Code of Civil Procedure. Hence, the revision petition filed is not maintainable. The revision petition is dismissed on the ground that it is not maintainable. The revision petitioner is at liberty to approach the appropriate appellate Court. In case an appeal is filed, the appellate Court shall exclude the time between 8<sup>th</sup> December, 2014 till 22.04.2022, while calculating the delay in filing the appeal.

4.This Civil Revision Petition is Disposed of on the basis of the aforesaid observation. Consequently, connected Civil Miscellaneous Petitions are closed.

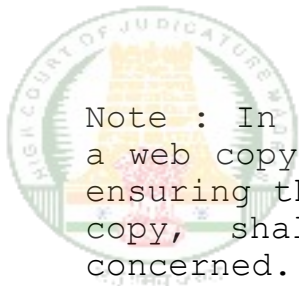
Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)



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.

WEB COPY

1.The District Munsif,  
Nilakottai.

2.The Record Keeper,  
Vernacular Section,  
Madurai Bench of Madras High Court,  
Madurai. (2 Copies)

+1 CC to M/s.AJMAL ASSOCIATES, Advocate ( SR-20807[F] dated 25/04/2022 )

+1 CC to M/s.T.R.JEYAPALAM, Advocate ( SR-20845[F] dated 25/04/2022 )

+1 CC to M/s.P.MAHENDRAN, Advocate ( SR-20848[F] dated 25/04/2022 )

+1 CC to M/s.D.RAJKUMAR, Advocate ( SR-20833[F] dated 25/04/2022 )

+1 CC to M/s.SPL.GP ( SR-20881[F] dated 25/04/2022 )

Order made in  
C.R.P (MD)No.2667 of 2014  
22.04.2022

RS (26.05.2022) 4P-9C