



CRP No.2848 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.08.2024

CORAM

THE HON'BLE MR.JUSTICE V.LAKSHMINARAYANAN

CRP No.2848 of 2024

1. Eswari
2. G.Nithya
3. G.Arthiga
4. G.Ramya
5. G.Bala Surya

.. Petitioners

-VS-

1. Govindarajan
2. Gopalan
3. T.K.Boopathi

Respondents

Prayer: Petition filed under Article 227 of the Constitution of India to direct the District Munsif Court at Gobichettipalayam to number the unnumbered O.S.No... of 2024 and pass suitable order.

For Petitioners : Mr.A.Vijayananthan

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ORDER

The plaintiffs plead that the document executed by one Govindarajan in favour of the third defendant is vitiated by fraud, undue influence and coercion and also vitiated on account of the fact that the third defendant had taken 'Kanthuvatti' to acquire the property. They wanted a declaration that the transfer dated 23.05.2013 is null and void and for consequential reliefs.

2. The plaintiffs valued the suit at Rs.4,00,000/- and presented it before the learned District Munsif. In terms of the Civil Courts Act, 1977 the District Munsif would have pecuniary jurisdiction only to an extent of Rs.1,00,000/-. If the plaintiffs value the suit at Rs.4,00,000/-, their remedy is only before the learned Subordinate Judge at Gobichettipalayam.

3. Taking into consideration the request of the civil revision petitioners, there shall be a direction to the learned Subordinate Judge at Gobichettipalayam to receive the unnumbered plaint filed on 04.07.2023 and number the same if otherwise it is in order.



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4. The civil revision petition is, accordingly, disposed of. There shall be no order as to costs.

05.08.2024

Index : Yes/No
Neutral Citation : Yes/No

Note to Registry :

The original of the plaint enclosed in the typed set of papers may be returned to the learned counsel after obtaining usual endorsement.

sra

To

1. The Subordinate Judge,
Gobichettipalayam.
2. The District Munsif,
Gobichettipalayam.



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V.LAKSHMINARAYANAN, J.

(sra)

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