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C.R.P.(PD).No. 628 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 19.02.2025

CORAM

**THE HONOURABLE Ms. JUSTICE P.T. ASHA**

**C.R.P.(PD).No. 628 of 2025**

N.B.Selvam

...Petitioner

Vs.

C.Chinannan

...Respondent

**Prayer:** Civil Revision Petition is filed under Article 227 of the Constitution of India, seeking to number the unnumbered OS.SR.No.342 of 2025 on the file of the Principal Subordinate Court, Krishnagiri.

For Petitioner : Mr. D.Lakshmipathy



## **ORDER**

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The petitioner is aggrieved by the fact that the suit filed for recovering a sum of Rs.5,00,000/- as damages for defamation has not been numbered by the Court below.

2. The learned Trial Judge at the numbering stage has returned the suit stating that the proof of the allegation made against the defendant has not been filed. Originally, the plaint was returned, where one of the return was no proof of allegation against the defendant had been filed. The petitioner re-submitted the same stating that the proof of allegation would be filed at the time of Trial. Therefore, aggrieved the petitioner is before this Court.

3. The Court at the numbering stage has to only consider as to whether the plaint confirms to the form of pleadings, the cause of action pleaded, the Court fee paid. the relief claimed etc,. At this stage, the Court should not seek the proof for the allegations / averments



C.R.P.(PD).No. 628 of 2025

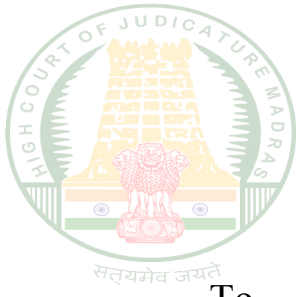
made in the plaint. The very case of the plaintiff is that the defendant has been going around defaming him. This allegation has to be established by the plaintiff during Trial in order to get the suit decreed. The plaint cannot be rejected at the threshold.

4. The Civil Revision Petition is allowed. The learned Trial Judge is directed to number the plaint. The Registry is directed to return the original plaint back to the learned counsel for the petitioner on his making necessary endorsement. No costs.

**19.02.2025**

Index : Yes/No  
Internet : Yes/No

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To  
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The Principal Subordinate Court,  
Krishnagiri.



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**P.T. ASHA, J,**

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