



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.11.2025

CORAM

THE HONOURABLE MR JUSTICE P.B. BALAJI

CRP.No.6047 of 2025

T.Babu

... Petitioner

Vs.

1.J.A.Rajagopalan
2.J.A.Radhakrishnan
3.R.Anjikumar
4.R.Prakasam
5.K.G.Ramamoorthy

... Respondents

Prayer: Civil Revision Petition filed under Article 227 of Constitution of India, to set aside the order of the learned District Judge, Tirupattur, Tirupattur District dated 14.02.2025 in O.S.No.Nil of 2024.

For Petitioner : Mr.B.Bharath Kumar
for Mr.V.Nicholas

ORDER

The petitioner is the plaintiff, who has filed the suit, seeking the relief of declaration and permanent injunction. Even at the institution stage, the Court has gone into merits of the petitioner's claim and has rejected the suit.



WEB COPY 2.This Court, in *Selvaraj and others Vs. Koodankulam Nuclear Power Plant India Limited, through its Project Director, Koodankulam, Ramanathapuram Taluk, Tirunelveli District*, reported in 2021 (4) CTC 539, has held that the Court cannot conduct any roving enquiry, at the time of registration of the plaint and if the plaint is found to be conformed to the provisions of Order VII of CPC, the Court has to necessarily entertain the suit and number the same.

3.It is needless to state that the Court does not perform any judicial function at the stage of numbering of the suit, to proceed to reject the plaint, on the merits of the plaint averments and allegations. In the light of the above, I am inclined to set aside the order dated 14.02.2025 in O.S.No.Nill of 2024.

4.In fine, the Civil Revision Petition is allowed and the order dated 14.02.2025 in O.S.No.Nill of 2024 on the file of the District Court, Tirupattur, is set aside. The Registry shall return the original plaint, that has been filed, along with this revision petition, to the counsel for the petitioner,



across getting necessary acknowledgement, within a period of one week, from the date of receipt of a copy of this order. Within a period of two weeks thereafter i.e., from the date of receipt of the original plaint from the Registry, the plaint shall be represented by the revision petitioner before the District Court, Tirupattur and on such representation, the District Court, Tirupattur shall number the plaint and proceed to dispose of the suit on merits and in accordance with law. No costs.

28.11.2025

Neutral Citation: Yes/No
Speaking Order/Non-speaking Order
Index : Yes / No
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P.B. BALAJI,J.
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To
The District Judge, Tirupattur, Tirupattur District.

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