



WEB COPY

CRP No. 1757 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-08-2025

CORAM

THE HONOURABLE MR.JUSTICE P.B. BALAJI

CRP No. 1757 of 2025

AND

CMP NO. 10139 OF 2025

1. N.K.Jinnah

Residing at No.25/8, 2nd Main Road,
Jamaliya, Perambur, Chennai-600 034

2. J Banu

Residing at No.25/8, 2nd Main Road,
Jamaliya, Perambur, Chennai-600 034

3. J Nizar

Residing at No.25/8, 2nd Main Road,
Jamaliya, Perambur, Chennai-600 034

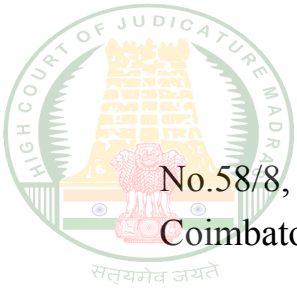
Petitioner(s)

Vs

1. K.Manikandan

No.8, 8-1, Rajamatha Nagar, Tauta
Nagar, Vadavalli Gramam, Coimbatore
District-641 041

2.K Anantha Narayanan



No.58/8, New Ananda Nagar, P.n.pudur,
Coimbatore-641041

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3.The Inspector General of Registration
100, Santhome High Road, Mullima
Nagar, Mandavelipakkam, Raja
Annamalaipuram, Chennai-600 028

4.The Deputy Inspector General of
Registration
No.6/1, Grd Road, Opp To Alr Force
Admin College, Redfilelds,
Coimbatore-641 018

5.The District Registrar(North)
35, Street No.7, Town Hall,
Coimbatore-641 001

6.Joint No.1, Sub Registrar(North)
Syrian Church Road, Puthiyavan Nagar,
Sukrawar Pettai, Rs Puram,
Coimbatore-641 001

Respondent(s)

PRAYER

This civil revision petition is filed under Article 227 of the Constitution of India praying to set aside the order passed in I.A.(SR).No.8567/2025 in O.S.No.985/2024 dated 02-04-2025 by the Honourable District Munsif Judge, Coimbatore.



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For Petitioner(s): Mr.S.Sivaraman
For Respondent(s): M/S.A.Muthukumar for RR1 & 2
Mrs.K.Aswini Devi, AGP (CS)
for RR3 to 6

ORDER

Heard Mr.S.Sivaraman, learned counsel for the revision petitioners and Mr.A.Muthukumar, learned counsel for the contesting respondents.

2.The petitioners are the defendants 1, 2 & 3 in [OS.No.985/2024](#). The order under challenge is dated 02.04.2025.

3.The learned counsel for the revision petitioners states that the application for rejection of the plaint has been filed; however, it was returned on the ground that the written statement has not been filed, and the learned counsel would therefore seek for an opportunity to be given to the petitioners/defendants to put forth their contentions in the reject the plaint application before the trial can proceed in the suit.

4.Per contra, Mr.A.Muthukumar, learned counsel for the contesting respondents/plaintiffs, would invite my attention to the order dated 02.04.2025

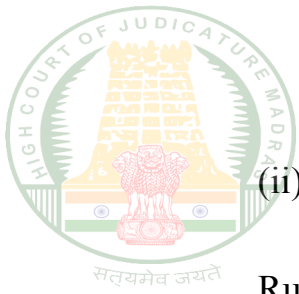


and states that the petitioners had already been set ex parte on the said date, and therefore, unless any application is filed to even formally set aside the ex parte order the application for rejection of plaint under Order VII Rule 7 of CPC, cannot be heard.

5.The learned counsel would also state that even along with the suit, the contesting respondents/plaintiffs have taken out interlocutory applications for urgent interim orders, and the same are pending. It is seen from the order dated 02.04.2025 that a common counter has been filed in I.A. Nos. 3, 4 & 5 of 2024, and it is the contention of Mr.A.Muthukumar that only in order to protract the proceedings and deny interim relief, the present application has been taken out by the revision petitioners for rejection of the plaint.

6.Considering the facts and circumstances discussed herein above, I am inclined to dispose of the revision in the following manner:

- (i) The order dated 02.04.2025 setting the petitioners as ex parte is set aside, for which the counsel for the contesting respondents Mr.A.Muthukumar, fairly states that he has no serious objection;



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(ii). Any application filed for rejection of plaint under Order VII

Rule 11 of CPC shall be taken up at the first instance and disposed of within a period of four weeks from the date of the representation of the application for rejection of plaint;

(iii) Simultaneously, the Trial Court shall also conduct an enquiry in IA.Nos.3, 4 & 5 of 2024, and subject to the orders being passed in the rejection of the plaint application, suitable orders shall also be passed in the interlocutory applications, within the said period of four weeks;

(iv) The Registry is directed to return the original application filed for rejection of plaint along with the supporting affidavit filed to the learned counsel for the petitioners, across getting necessary acknowledgement;

(v) On getting back the original application from the registry of this Court, the petitioners shall re-present the said application for rejection of the plaint within a period of one week before the trial



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court ; and

WEB COPY (vi) There shall be no order as to costs. Consequently, the connected

miscellaneous petition is closed.

(i)

19-08-2025

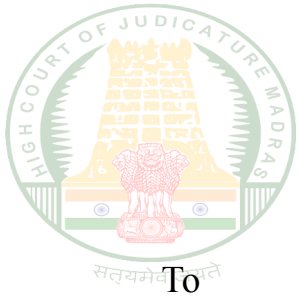
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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To

The District Munsif Judge, Coimbatore.

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P.B.BALAJI J.

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