



WEB COPY

CRP No. 3371 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31-07-2025

CORAM

THE HONOURABLE MR.JUSTICE P.B. BALAJI

CRP No. 3371 of 2025

R.Guruvayoorappan
S/o.Late P.S.Raju,
3/168, Therpathai, Kethelrao Post,
Dharapuram Taluk, Tiruppur District
638 657.

Petitioner(s)

Vs

1. The District Collector,
District Collector Office, Tiruppur.

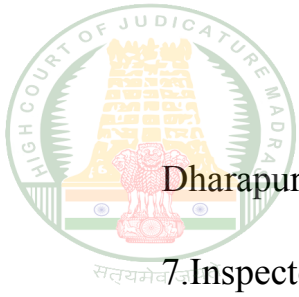
2.The Joint Director
Public Health Department, Tiruppur.

3.The Deputy Director of Health
Services,
Tiruppur.

4.The Block Medical Officer,
Primary Health Centre, Ponnapuram.

5.The Superintendent of Police
Tiruppur.

6.The Deputy Superintendent of Police



Dharapuram.

7. Inspector of Police

Kundadam Police Station.

Respondent(s)

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the return dated 10.03.2025 and number the plaint dated 12-02-2025 in CFR No.129 of 2025 in unnumbered OS.No. of 2025, try the suit in the manner known to law.

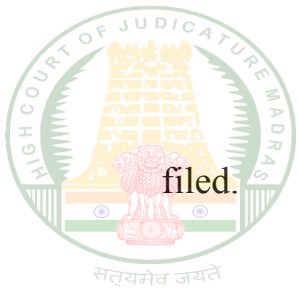
For Petitioner(s): Mr.N.Ponraj

For Respondent(s): Mr.A.Anandan
Government Advocate

ORDER

This Civil Revision Petition has been filed to set aside the return dated 10.03.2025 and number the plaint dated 12.02.2025 in CFR No.129 of 2025 in unnumbered OS.No. of 2025, try the suit in the manner known to law.

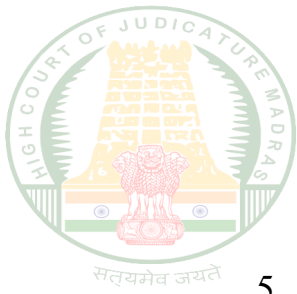
2. The plaintiff is the revision petitioner. Aggrieved by the repeated return of the plaint, despite the compliances made, the present civil revision petition is



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3. Mr.A.Anandan, learned Government Advocate, takes notice on behalf of the respondents.

4. The learned counsel for the petitioner states that the ratio laid down by this Court in the case of ***Selvaraj Vs. Koodankulam Nuclear Power Plant India Ltd.***, reported ***in 2021 (4) CTC 539*** has not been followed by the trial Court. The trial Court is not posting the matter for hearing, the plaintiff's counsel on maintainability of the suit. However, for the very same purpose and reasons, the plaint has been returned for the second time. This Court has clearly laid down the procedure to be followed by the trial Court for numbering plaints. It is clearly set out that in the event of counsel for plaintiff making necessary endorsement and complies with the returns, it is incumbent for the Court to hear the plaintiff's counsel in open Court and thereafter decide the issue of maintainability of the suit and the returns for which compliances are made and plaint is registered.



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5. In view of the above, I am inclined to allow the Civil Revision Petition, directing the plaintiff to represent the plaint, and on such representation, the Subordinate Judge, Dharapuram shall call the matter in the open Court, after hearing the plaintiff's counsel on the returns. The trial Court shall pass orders on merits by taking decision on merits of the maintainability of the suit. The trial Court shall keep in mind the ratio laid down by this Court in the case of *Selvaraj*, stated supra, while hearing the maintainability of the suit.

6. With the aforesaid observation and direction, this Civil Revision Petition is allowed. No costs.

31-07-2025

jd

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

Note: Registry is directed to return the original plaint to the plaintiff on receiving due acknowledgement.



To

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1. The Subordinate Court, Dharapuram.
2. The District Collector,
District Collector Office, Tiruppur.
3. The Joint Director
Public Health Department, Tiruppur.
4. The Deputy Director of Health Services,
Tiruppur.
5. The Block Medical Officer,
Primary Health Centre, Ponnapuram.
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P.B.BALAJI J.
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