



CRP No.2901 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :14.07.2025

CORAM:

THE HON'BLE MR. JUSTICE P.B. BALAJI

C.R.P.No.2901 of 2025

1.Manickam Muthusamy
2.Lakshmi Manikam

... Petitioners

VS

1.Logasri M.
2.J.Dharaneesh (Minor)
3.Max Life Insurance Co.Ltd.,
90-A, Udyog Vihar, Sector 18,
Gurgaon, Haryana-122-15

.. Respondents

Revision filed under Article 227 of the Constitution of India against the return order of the learned Principal District Judge at Salem in O.S.Sr.No.8451 of 2025 dated 03.07.2025.

For Petitioners : Mr.M.Venkadesh Kumar

ORDER

Heard the learned counsel for the petitioners/plaintiffs.

2. The suit has been filed for partition and separate possession of both movables and immovable properties. The suit came to be returned by the learned Principal District Judge, Salem on 30.06.2025 raising certain queries.



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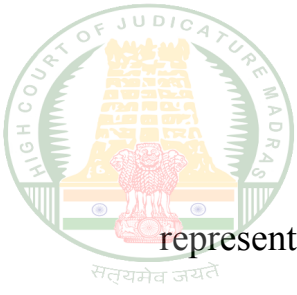
The same has been complied with and represented by the learned counsel for the plaintiffs on 03.07.2025, also placed reliance on the decision of this Court

in ***Selvaraj and others vs Koodankulam Nuclear Power Plant Indian Ltd in CRP (MD) Nos.915, 943, 967, 991 and 330 of 2020 dated 16.07.2021.***

However, again, on the same day, the learned District Judge, has, without even referring to the compliance made by the petitioners/plaintiffs, has simply returned the plaint stating that the previous return dated 30.06.2025 has not been complied with.

3. If at all the learned Judge has any further queries regarding compliance made by the petitioners/plaintiffs, the proper course of action would be to post the suit for maintainability, hear the learned counsel for the petitioners/plaintiffs and thereafter, pass orders. Without even advertng to the compliance, which has been made by the learned counsel for the petitioners/plaintiffs and without assigning any reasons whatsoever, the learned Principal District Judge has simply returned the plaint stating that previous return has not been complied with.

4. In the light of the above, Registry is directed to return the original plaint to the learned counsel for the petitioners/plaintiffs with a direction to



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represent the same and on such representation, the learned Principal District

WEB COPY Judge, Salem shall hear the learned counsel for the plaintiffs on the maintainability of the suit and thereafter pass orders regarding numbering of the suit.

5. With the above direction, the civil revision petition is allowed. No costs.

147.07.2025

Index: Yes/No

Website:yes/no

Speaking Order/Non-speaking Order
sr

To

The Principal District Judge, Salem



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P.B.BALAJI,,J.

SI

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