



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.11.2025

CORAM

THE HONOURABLE MR.JUSTICE S. SOUNTHAR

CRP.No.5420 of 2025

and

CMP.No.27280 of 2025

1.J.Rasayal

Jayaraman (died)

2.Mahendran

3.Manikandan

...

jkPetitioners

Vs.

1.Nevis

2.P.Ravi

...

Respondents

PRAYER: The civil revision petition filed under Article 227 of Constitution of India to strike off the plaint in O.S.No.30 of 2019 on the file of the Additional District Munsif Court, Chidambaram, Cuddalore District.

For Petitioners

...

Mr.C.Prakasam

ORDER

The civil revision petition is filed seeking to strike off the plaint in O.S.No.30 of 2019 filed by the respondents.

2.The respondents herein filed a suit for bare injunction, based on an unregistered document dated 18.10.1993. According to the respondents, the father of the second plaintiff, Palanisamy, purchased the subject properties



from the first defendant under the unregistered document dated 18.10.1993 and had taken possession. Based on the said document, the suit for injunction was filed.

3.The defendants filed this revision to strike off the plaint on the ground that the unregistered document dated 18.10.1993 will not convey any title to the respondents/plaintiffs and hence, the suit filed by the respondents shall be struck off.

4.The respondents filed a suit for bare injunction based on their possession. It is their case that under the unregistered document dated 18.10.1993, possession was delivered to the plaintiffs. The unregistered document dated 18.10.1993 cannot be relied on to prove conveyance of title. However, since the possession is delivered under the document, the same can be relied on for limited purpose of proving the nature and character of possession subject to payment of sufficient stamp duty together with penalty.

5.Under such circumstances, the submission made by the learned counsel for the petitioner that the document dated 18.10.1993 is not at all useful to sustain the prayer for injunction is not acceptable of this Court.



Whether the document dated 18.10.1993 is genuine document or concocted document and whether it is useful to support the case of the plaintiffs or not, are all matters to be decided in a full-fledged trial. Therefore, the submission made by the learned counsel for the petitioner cannot be considered at this stage and accordingly, the civil revision petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Index : Yes/No

07.11.2025

Internet : Yes/No

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Tofg

The Additional District Munsif Court,
Chidambaram, Cuddalore District.



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S. SOUNTHAR,J.,

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