



C.R.P.No.87 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.12.2025

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

C.R.P.No.87 of 2024
and C.M.P.No.350 of 2024

1.The District Collector,
Collectorate Campus,
Vengikkal,
Tiruvannamalai.

2.The Revenue Divisional Officer,
RDO Office,
Tiruvannamalai.

3.The Thasildar,
Taluk Office,
Tiruvannamalai.

... Petitioners

VS.

Pookara Thuluva Velalar Naickar Sangam,
Rep. By its President, B.Sathyanarayanan,
Polur Main Road,
Tiruvannamalai Town and District.

... Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to strike out the Complaint in O.S.No.211 of 2023 on the file of the Principal District and Sessions Judge, Tiruvannamalai and allow this Civil Revision Petition.



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For Petitioners : Mr.P.Gurunathan
Additional Government Pleader

For Respondent : Mr.R.Bhagawat Krishna

ORDER

The Civil Revision Petition is filed seeking to strike off the plaint in O.S.No.211 of 2023 on the file of the Principal District and Sessions Judge, Tiruvannamalai.

2. The respondent herein filed a suit for bare injunction against the petitioners in O.S.No.211 of 2023. The petitioners filed this civil revision petition on the ground that the proceedings have been initiated against the respondent under the provisions of Tamil Nadu Land Encroachment Act, 1905 and the respondent suppressing the receipt of notice under the Land Encroachment Act, 1905, has filed the instant suit.

3. In view of Section 14 of the Tamil Nadu Land Encroachment Act, 1905, the suit is not at all entertainable by the Civil Court. If the petitioners are of the view the suit filed by the respondent is barred by any law, they have got effective remedy of filing a petition to reject the plaint under Order



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7 Rule 11(d) of Civil Procedure Code. The Apex Court in *Virudhunagar*

Nadargal Dharma Paripalana Shabha Vs Tuticorin Educational Society

reported in *MANU/SC/1365/2019* held that availability of remedy before the Regular Civil Court is a near total bar for this Court to invoke its supervisory power under Article 227 of the Constitution of India.

4. In view of the same, I am not inclined to entertain the present civil revision petition and the same is dismissed. However, it is open to the petitioners to file an appropriate application for rejection of the plaint under Order 7 Rule 11(d) of the Civil Procedure Code. If any such application is filed, the same shall be considered by the Trial Court in accordance with law. No costs. Consequently, the connected civil miscellaneous petition is closed.

01.12.2025

Index : Yes / No
Speaking order : Yes / No
Neutral Citation : Yes / No
dm

To

The Principal District and Sessions Judge,
Tiruvannamalai.

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S.SOUNTHAR, J.

dm

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