



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.10.2025

CORAM

THE HONOURABLE MR JUSTICE P.B. BALAJI

C.R.P.No.5163 of 2025

Aiyapillai

... Petitioner

Vs.

1. Gopi
2. Vanitha
3. Muthulakshmi
4. The Sub-Registrar,
Office of the Sub-Registrar,
Nannilam – 610 105.

... Respondents

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, praying to direct the learned Subordinate Court, Thiruvarur to take up the plaint in O.S.SR.No.3975 of 2025 on the file and number the same.

For Petitioner : Mr.Arunbabu

For Respondent : Mr.N.Muthuvel,
Government Advocate for R4**ORDER**

The petitioner challenges the docket order of rejection of plaint in O.S.SR.No.3975 of 2025 on the file of the Subordinate Court, Thiruvarur.



2. The learned counsel for the petitioner states that the Trial Court has erroneously proceeded to reject the plaint summarily even at the institution of the suit which is contrary to the ratio laid down by the Madurai Bench of this Court in ***Selvaraj and Ors Vs. Koodankulam Nuclear Power Plant India Limited and Ors.*** reported in **2021 (4) CTC 539**.

3. I have also gone through the docket order of rejection of the plaint on 07.07.2025.

4. The Trial Court ought to have numbered the suit since if it is otherwise in order and should not have gone into the merits of the relief sought for in the plaint. The Court is only performing a ministerial function at the time of registration of the suit and cannot enter into the judicial domain to invoke the provisions of Order VII Rule 11 of C.P.C., unilaterally and reject the plaint. It is always open to the defendants, if any avenue is open to them, to seek rejection of the plaint, if the plaint is not properly framed and necessary reliefs have not been sought for and it is not for the Court to reject the plaint even at the time of numbering of the suit. The order is improper and liable to be set aside.



5. Accordingly, the Civil Revision petition is allowed. The order in O.S.SR.No.3975 of 2025 on the file of the learned Subordinate Court, Thiruvarur, is set aside. The trial Court is directed to number the suit, if it is otherwise in order. No costs.

27.10.2025

Speaking Order/Non-speaking Order

Index : Yes / No

Neutral Citation : Yes/No

vum

To

1. The Sub-Registrar,
Office of the Sub-Registrar,
Nannilam – 610 105.
2. The Subordinate Court, Thiruvarur.



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CRP.No.5163 of 2

P.B. BALAJI,J.

vum

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