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CRP.No.5203 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.10.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

CRP.No.5203 of 2025 and
CMP.No.26228 of 2025

Anni Lillybai Sunder

... Petitioner

Vs.

M/s.Sameeraa Foundation Private Limited

Rep. By its Director Mrs.M.Sumitha

W/o.Mr.J.Murugesan

Meco House

No.47, Anna Salai

Chennai-600 002.

...Respondent

PRAYER :Civil Revision Petition filed Article 227 of Constitution of India,
praying, to set aside the fair and decreetal order dated 22.11.2022 made in
IA.No.282 of 2020 in OS.No.42 of 2020 on the file of the District Munsif at
Tambaram

For Petitioner

: MrM.Madhu Prakash.

ORDER

The Civil Revision Petition is filed challenging the order passed by the
court below dismissing the application filed by the petitioner/defendant
seeking rejection of the plaint.



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2. The respondent/plaintiff filed a suit for bare injunction against the petitioner/defendant. According to the respondent/plaintiff, the suit properties with an extent of 1 acre 32 cents in S.Nos. 144/1A3 and 144/1A1 situated in Vengambakkam Village, Tambaram Taluk, Chengalpattu District was originally belonged to one Veera Reddy who acquired the same under registered sale deed dated 10-03-1988. He sold the said property to M/s.Maharishi Vedic Construction Corporation(P) Limited under registered sale deed dated 04.10.2006. The respondent/plaintiff purchased the subject property from M/s.Maharishi Vedic Construction Corporation(P) Limited under registered sale deed dated 07.04.2017. Thus, according to the respondent, he has been in possession and enjoyment of the property from the date of purchase and the petitioner/defendant attempted to interfere with his possession. Hence, he was constrained to file a suit for bare injunction.

3. The petitioner/defendant filed instant application seeking rejection of the plaint on the ground that the property was originally owned by one Govindasamy. He settled the property in favour of Ms. Meenakshi Ammal under settlement deed dated 05.03.1973. The petitioner/defendant claims that



he purchased the subject property from said Meenakshi Ammal represented by her power agent under sale deed dated 28.04.1999. Being a prior purchaser of the property, he is entitled to the sale deed.

4. It is settled law that at the time of considering the application for rejection of the plaint, the Court can only take into consideration the averments found in the plaint and the plaint documents. The Court is not entitled to look into the defence or the documents relied by the defendants. In the case on hand, both the plaintiff and the defendant are claiming title under different persons. In these circumstances, the trial court correctly came to the conclusion that the issues raised by the defendant in his application for rejection of the plaint is a matter for trial and the petition for rejection of the plaint could not be allowed. I do not find any error or illegality in the order passed by the trial court. Accordingly, the Civil Revision Petition stands dismissed. Consequently, the connected miscellaneous petition is closed. No costs.

30.10.2025

Index : Yes / No
Internet : Yes / No
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S.SOUNTHAR, J.

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To
The learned District Munsif, Tambaram.

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