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CRP No.6380 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-12-2025

CORAM

THE HONOURABLE MR.JUSTICE S. SOUNTHAR

**CRP No. 6380 of 2025 and
CMP Nos.31600 and 31602 of 2025**

1. T.Kumaravel,
S/o.Thandava Gounder, No.101A,
Alankariyur, Singampettai Village,
Bhavani Taluk, Erode District.

2. Radhamani,
W/o.T.Kumaravel, No.101A,
Alankariyur, Singampettai Village,
Bhavani Taluk, Erode District.

Petitioner(s)

Vs

1. V.Kandasamy,
S/o.Veerakutty, No.285, Vilamarathu
Kadu, Ilipili Village, Anthiyur Taluk,
Erode District.

Respondent(s)

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India praying direction to number the unnumbered I.A.No.__ of 2025 filed in O.S.No.54 of 2021 on the file of learned IV Additional District Judge, Bhavani to and set aside the docket order passed on 24.09.2025 pending disposal of the above Civil Revision Petition.

For Petitioner(s): Mr. K.Sakthivel



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ORDER

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2. The respondent herein /plaintiff filed a suit for specific performance of sale agreement and in alternative for recovery of advance amount. Pending suit, the revision petitioners, who were arrayed as defendants, filed the instant application seeking direction to the respondent to intimate the suit transaction to the tax authorities as per the provisions of Income Tax Act. The said petition was returned by the trial court, raising maintainability question, on 24.09.2025. Aggrieved by the same, the petitioner has come before this Court.

3. If the petition filed by the petitioner was returned by the trial court, the petitioner is expected to offer his explanation and re-present the papers. He is not entitled to rush this court, challenging the objection raised by the trial court regarding maintainability. Hence, I'm not inclined to entertain this civil revision petition and consequently the CRP is disposed of by directing the petitioner to re-present the returned papers before the trial court, offering explanations. If the trial court is satisfied with the explanation offered by the



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petitioner, it can number the I.A. and proceed with the matter. If the Trial Court is not satisfied with the explanations offered by the petitioner, the matter shall be called in open court and opportunity shall be given to the petitioner to put forth his case and then the Trial Court shall pass orders based on merits on the maintainability.

4. With the above direction, this civil revision petition is disposed of. Registry is directly to return the original returned papers in I.A. Sr N.7895/1, after getting it substituted with xerox copy of the same. There shall be no order as to costs. Connected miscellaneous petitions are closed.

15.12.2025

Internet : yes
Index : Yes/No
Neutral citation : Yes/No
MST

To

The IV Additional District Judge,
Bhavani.



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S.SOUNTHAR, J.

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