



C.R.P.No.6190 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated : 05.12.2025

CORAM:

THE HONOURABLE MR.JUSTICE P.B.BALAJI

C.R.P.No.6190 of 2025

and

CMP.No.30521 of 2025

James,
S/o. Arokiasamy,
Rep.by Power of Attorney
Agent Mr.Shivaki James,
No.24, Anthonyar Kovil Street, Serugudi,
Karaiyur, Thiruvavur – 610001.

... Petitioners

Vs.

1. P.Niveditha
2. Minor P.Mardhini
D/o. Prabhu Ram,
Hindu, aged 17 years,
represented by her mother and natural
guardian Mrs.P.Latha
3. A.Amarunisha
4. Rajanarthagi
5. S.Sivakumar
6. K.Kalidasan
7. Neela Soundarajan @ Neelothbalambal

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8. Senthilnathan

9. Prabhu Ram

10. Meena Govindarajan

11. The Sub Registrar,
Office of the Sub Registrar, Thiruvarur.

12. The Tahsildar,
Office of the Tahsildar,
Thiruvarur.

13. The District Collector,
Office of the District Collector,
Thiruvarur.

... Respondents

Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the order dated 29.07.2025 passed in I.A.SR.No.4318 of 2025 in O.S.No.15 of 2023 on the file of the Principal District Court at Thiruvarur and consequently direct to number the said Application on the file of the Principal District Court at Thiruvarur.

For Petitioners : Mr.V.Venkatesh,
for Mr.D.Vinod

For Respondents : Mr.V.Ramesh,
Government Advocate ((for R11 to R13)



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ORDER

The petitioner has challenged the order dated 29.07.2025 passed in I.A.SR.No.4318 of 2025 in O.S.No.15 of 2023 on the file of the Principal District Court at Thiruvarur and consequently seeks a direction to number the said application.

2. Heard the learned counsel for the petitioner and Mr.V.Ramesh, learned Government Advocate takes notice for the eleventh to thirteenth respondents and gone through the records.

3. The revision petitioner is the first defendant, who had filed an application under Order VI Rule 16 (c) of the Code of Civil Procedure seeking to strike off the entire plaint in O.S.No.15 of 2023 on the ground the same constitutes an abuse of the process of Court.

4. The Trial Court, even at the stage of numbering the application, has gone into the merits of the claims made by the petitioner and has passed a judicial order. It is impermissible for the Court to decide the



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application on merits at the stage of numbering itself.

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5. In view of the above, and also taking note of the directions issued by this Court in the case of *Selvaraj and Others Vs. Koodankulam Nuclear Power Plant India Ltd.* reported in **2021 (4) CTC 539**, I am inclined to set aside the order dated 29.07.2025 and accordingly, the same is set aside.

6. Registry is directed to return the original application, if any, filed by the petitioner to the learned counsel appearing for the petitioner, after obtaining necessary acknowledgement, so as to enable the petitioner to re-present the same before the Trial Court. Upon such re-presentation, within a period of one week from the date of receipt of a copy of this order, the Trial Court shall number the application and dispose of the same on merits and in accordance with law, after affording an opportunity hearing to the revision petitioners as well as the respondents.



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7. Accordingly, this civil revision petition is allowed.

Consequently, connected civil miscellaneous petition is closed. No Costs.

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Index : Yes/No
Neutral Citation : Yes/No
Speaking/Non-Speaking Order
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To

1. The Principal District Court at Thiruvarur.
2. The Sub Registrar,
Office of the Sub Registrar, Thiruvarur.
3. The Tahsildar,
Office of the Tahsildar,
Thiruvarur.
4. The District Collector,
Office of the District Collector,
Thiruvarur.



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P.B.BALAJI, J.

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