



C.R.P.No.6187 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.12.2025

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

C.R.P.No.6187 of 2025

V.Chandran

... Petitioner

VS.

1.The District Collector,
District Collector Office,
Singaravelan Maligai,
Chennai-600 001.

2.The Tahsildar
Madhuravoyal Taluk,
Madhuravoyal, Chennai-600 095.

3.Vedhavalli

4.J.P.Ramu

5.A.Selvi

6.V.Malathi

7.V.Pushpalatha

8.V.Rajkumar

... Respondents



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PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, to direct the Principal District Munsif Court at Poonammallee to number the suit O.S.SR.No.7417 of 2025.

For Petitioner : Mr.K.Natarajan

For R1 and R2 : Mr.C.Sathish
Government Advocate

ORDER

The Civil Revision Petition is filed seeking a direction to learned Principal District Munsif Court, Poonammallee, to number the suit in O.S.SR.No.7417 of 2025.

2. The petitioner herein filed a suit for a declaration that earlier *exparte* judgment and decree passed in O.S.No.1747 of 1989 and O.S.N.595 of 1990 were null and void and non-est in the eye of law and also for permanent injunction restraining the defendants 3 to 8 from disturbing his peaceful possession and enjoyment of 3rd suit schedule property.



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3. The said plaint was returned by the Trial Court by raising various objections. One of the objection was that the petitioner/plaintiff has got a remedy to file an application under Order 9 Rule 13 of Code of Civil Procedure seeking to set aside the *exparte* decree. The petitioner represented the papers by offering his explanation. However, again the plaint was returned citing the remedy available to the petitioner under the Code of Civil Procedure. Aggrieved by the same, the petitioner has come before this Court.

4. The Trial Court returned the plaint on 12.11.2025 raising objections with regard to the availability of alternative remedy under Order 9 Rule 13 of Code of Civil Procedure. The petitioner herein represented the plaint by offering his explanation. If the Court is not satisfied with the explanation offered by the petitioner, the matter shall be called in open Court and after hearing the petitioner, an order shall be passed on merit. Instead of following the said procedure, the Trial Court again returned the papers insisting earlier return.



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5. Therefore, the petitioner is directed to represent the plaint offering his explanation and if the Principal District Munsif Court, Poonamallee, is not satisfied with the explanation offered by the petitioner/plaintiff, the matter shall be called in open Court and the petitioner shall be given an opportunity to putforth his case and thereafter, the Principal District Munsif Court, Poonamallee, shall pass orders on its own merits.

6. With this direction, the Civil Revision Petition is disposed of. No costs.

05.12.2025

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

Note:The Registry is directed to return the original plaint in O.S.SR.No.7417 of 2025, dated 30.10.2025 to the learned counsel for the petitioner, after getting necessary endorsement.



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To

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- 1.The Principal District Munsif Court,
Poonammallee.
- 2.The District Collector,
District Collector Office,
Singaravelan Maligai,
Chennai-600 001.
- 3.The Tahsildar
Madhuravoyal Taluk,
Madhuravoyal, Chennai-600 095.



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S.SOUNTHAR, J.

dm

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