



C.R.P.No.6513 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated : 18.12.2025

CORAM:

THE HONOURABLE MR.JUSTICE P.B.BALAJI

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Govindammal

... Petitioner

Vs.

No respondents

Civil Revision Petition filed under Article 227 of the Constitution of India, to direct the learned District Munsif Court, Krishnagiri to number the suit filed in F.No.OS/187/2025 in CNR No.TNK10-4000-140-2025 in FR.968/25-26 and decide the same as expeditiously as possible within a time frame as fixed by this Court.

For Petitioner : M/s.G.Selvi George

ORDER

This Civil Revision Petition has been filed challenging the return of the plaint in F.No.OS/187/2025 in CNR No.TNK10-4000-140-2025 in FR.No.968/25-26.

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2. Heard the learned counsel for the petitioner and perused the materials available on record.

3. The learned counsel for the petitioner, inviting the attention of this Court to the relief sought in the plaint, would contend that there are no other legal heirs apart from the petitioner, and therefore, the only course open to the plaintiff is to seek a declaration that she is the sole surviving legal heir and also to establish the factum of the death of her son by filing a suit for declaration. The Trial Court has returned the plaint on the ground that the suit, as framed, is not maintainable and that necessary parties have not been impleaded.

4. The learned counsel for the petitioner would further submit that, the petitioner being the mother and a Class-I legal heir of the deceased, there are no other persons having a better or superior claim to the estate of the deceased. However, the learned counsel fairly states that, in order to secure an effective adjudication, the Village Administrative Officer and the concerned Tahsildar will be impleaded as defendants before re-presenting the papers in the suit.

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5. In view of the above, I am inclined to set aside the docket order dated 07.10.2025, and accordingly, the same stands set aside.

6. The Registry is directed to return the original plaint within a period of one week from the date of uploading of a copy of this order, after obtaining necessary acknowledgment, so as to enable the petitioner to re-present the same before the District Munsif Court, Krishnagiri. Thereafter, the papers shall be re-presented before the District Munsif Court, Krishnagiri, within a period of two weeks. On such re-presentation, the District Munsif Court, Krishnagiri, is directed to number the suit, if it is otherwise in order, and dispose of the same on or before 30.06.2026. The petitioner is at liberty to carry out all necessary amendments, including seeking additional reliefs, before re-presenting the plaint.



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7. Accordingly, this civil revision petition is allowed. No Costs.

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

The District Munsif Court, Krishnagiri.



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P.B.BALAJI, J.

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