



C.R.P.(MD)No. 1508 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:30.07.2025

CORAM

THE HON'BLE MR. JUSTICE M.DHANDAPANI

C.R.P.(MD)No.1508 of 2025

and

C.M.P.(MD)No.10566 of 2022

K.Baskaran

...Petitioner

Vs.

1. Revathi
2. Sarkunam
3. The Sub Registrar,
Mathagupatti Sub Registrar Office.

4. The Government of Tamil Nadu,
Through, the District Collector,
Sivagangai District.

...Respondents

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, praying to set aside the impugned return order dated 24.04.2025 in e-filing C.N.R.No.TNSV010010542025 on the file of the Principal District Judge, Sivagangai and direct the learned Principal District Judge, Sivagangai and to number the same.



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For Petitioner : Mr. C.Sasi Kumar

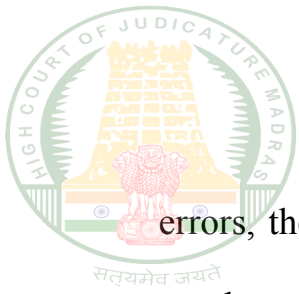
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ORDER

This Civil Revision Petition has been filed seeking to set aside the impugned return order dated 24.04.2025 in e-filing C.N.R.No. TNSV010010542025, on the file of the Principal District Judge, Sivagangai, and to number the same.

2. Since no adverse orders are going to be passed against the respondents, notice to the respondents is dispensed with.

3. The case of the petitioner is that he has filed a suit for declaration of title declaring the plaintiff as the absolute owner of the property and for a consequential direction for granting order of permanent injunction restraining the first defendant, their men, agents, any persons claiming under her, from in any manner disturbing plaintiff's peaceful possession and enjoyment over the scheduled mentioned suit properties and also to declare the sale deed, dated 08.12.2023, registered as Document Nos.2492 of 2023, 2493 of 2023, 2494 of 2023 and 2495 of 2023, executed to and in favour of the first defendant by the second defendant before the third defendant office as null and void. The suit was returned on 24.03.2025. Subsequently, after rectifying the



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errors, the petitioner resubmitted the suit. However, the same has not yet been numbered. Aggrieved over the same, the present revision petition has been filed by the petitioner.

4. The learned counsel for the petitioner submitted that the petitioner was cheated and the sale deeds had been fraudulently fabricated without his knowledge. Although the sale deeds purportedly indicated payment of consideration through specific bank cheques, in reality, no such consideration was paid. It is further submitted that the petitioner cannot be compelled to make double payment of court fee for the same suit. Accordingly, the petitioner prays that this revision petition be allowed.

5. In the present case on hand, admittedly, the petitioner has demonstrated *bona fide* intent by promptly rectifying the alleged mistakes and re-presenting the suit. In the interest of justice and to avoid unnecessary delay in adjudication of the substantive rights of the parties, this Court is inclined to set aside the impugned return order dated 24.03.2025.

6. Accordingly, the impugned return order dated 24.03.2025 is hereby set aside and the petitioner is permitted to re-present the suit before the



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trial Court within a period of two weeks from the date of receipt of a copy of this order. Upon such re-presentation, the trial Court is directed to take the suit on file and number the same within a period of two weeks thereafter, if it is otherwise in order.

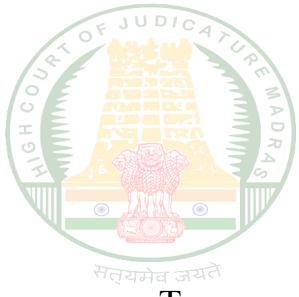
7. Accordingly, this Civil Revision Petition stands disposed of. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

30.07.2025

Internet: Yes/No
Index: Yes/No
PKN

Note: (i) **Issue order copy today.**

(ii) The Registry is directed to return the original plaint to the petitioner to enable him to re-present the same before the trial Court.



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To
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- 1.The Principle District Court,
Sivagangai.
2. The Sub Registrar,
Mathagupatti Sub Registrar Office.
3. The Government of Tamil Nadu,
Through, the District Collector,
Sivagangai District.
- 4.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI, J.

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