



CRP(MD). No.2637 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 24.09.2025

CORAM

THE HONOURABLE MR. JUSTICE K.KUMARESH BABU

**C.R.P(MD). No.2637 of 2025
and
C.M.P.(MD)No.15494 of 2025**

S.Rajapandi,

... Petitioner

Vs.

1. B.Vijayalakshmi

2. B.Sree Prakash

The Respondents are represented through
their power Agent S.Baskaran

... Respondents

PRAYER :- Civil Revision Petition filed under Article 227 of The Constitution of India, to call for the entire records pertaining to the order passed by the learned Additional District Judge, Aruppukottai, Virudhunagar District in I.A. No.4 of 2024 in O.S. No.61 of 2023 vide order dated 13.08.2025 and set aside the same and consequently pass order rejecting the plaint filed in the said Civil Suit.

For Petitioner : Mr.R.Anand



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ORDER

This Civil Revision Petition has been filed challenging the rejection of application under Order VII Rule 11 C.P.C.

2. The learned counsel for the petitioner would submit that the suit is neither maintainable in law nor on facts and the same is liable to be dismissed *in limini*. He would further submit that there are suppression of material facts in the plaint and also had initiated the proceedings in a Court which do not have jurisdiction. He would further submit that the defendant do not know who the plaintiff is or the alleged attestator is. The plaintiff has filed a suit with malice to harass the petitioner and other defendants in order to unjustly enrich himself. Hence, he would submit that the plaint would have to be struck off.

3. However, the Court below failed to consider the case of the petitioner by holding that since the cause of action had arisen within the jurisdiction of that Court, the suit was therefore maintainable. The learned counsel would therefore submit that the suit itself is without any



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cause of action much less any part of cause of action and therefore, he seeks indulgence in the orders passed by the Court below.

4. I have considered the arguments advanced by the learned counsel for the petitioner and perused the materials available on record.

5. The primary contention that had been raised is that the cause of action for the suit had not arisen within the jurisdiction of the trial Court. The Court below had given a specific finding that the cause of action had arisen within the jurisdiction of this Court for the suit to be maintained before it. The various other allegations raised by the petitioner are only on the facts of the case, which can only be substantiated after the trial is completed and final arguments heard in the matter. Insofar as the contention with regard to the cause of action that has been raised by the petitioner is concerned, this Court is of the view that after the pleadings are completed, the Court can frame an issue in respect of jurisdiction and decide such issue during the course of trial. This Court further do not find any infirmity in the order impugned herein which requires interference by this Court.



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6. In fine, this Civil Revision Petition is dismissed with the observation as recorded supra. No costs. Consequently, connected Miscellaneous Petition is closed.

24.09.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
LS

TO

1. The Additional District Judge,
Aruppukottai,
Virudhunagar District.

2. The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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K.KUMARESH BABU,J.

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