



CRP(MD). No.3043 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 27/10/2025

CORAM

THE HONOURABLE MR. JUSTICE K.KUMARESH BABU

CRP(MD). No.3043 of 2025

and

CMP(MD)No.17174 of 2025

1. Alagarsamy,
2. Ramaasubbu,
3. Shanmugam,
4. Vellai Thimmu Reddiyar,
5. Kannan,
6. Subbaiah,
7. Govindaraj,

... Petitioners / Petitioners /
Defendants 1 to 7

Vs

1. Lakshmiyammal,
W/o. Sundararaj Reddiyar,
Muthusampuram Village,
Vilathikulam Taluk,
Thoothukudi District.

2. Padmanaban,
S/o. Ramasamy,
Muthusampuram Village,
Vilathikulam Taluk,
Thoothukudi District.



CRP(MD). No.3043 of 2025

3. Amarsingh,
S/o. Sundarraj Nayakkar,
Muthusampuram Village,
Vilathikulam Taluk,
Thoothukudi District.

4. Vairvasamy,
S/o. Thimmanaj Chettiar,
Muthusampuram Village,
Vilathikulam Taluk,
Thoothukudi District.

5. Saminathan,
S/o. Vellaiyappan,
Muthusampuram Village,
Vilathikulam Taluk, Thoothukudi District.

6. Kandavel,
S/o. Arunachalam,
Muthusampuram Village,
Vilathikulam Taluk, Thoothukudi District.

7. Karuppasamy,
S/o. Raj,
Muthusampuram Village,
Vilathikulam Taluk, Thoothukudi District.

8. Krishnasamy,
S/o. Perumal Reddiyar,
Muthusampuram Village,
Vilathikulam Taluk,
Thoothukudi District.

... Respondents / Respondents / Plaintiffs

9. Kannan,
S/o. Shanmugasundara Reddiyar,
Muthusampuram Village,
Vilathikulam Taluk,
Thoothukudi District.

... Respondent / Respondent / 8th Defendant



CRP(MD). No.3043 of 2025

PRAYER :-

Civil Revision Petition filed under Article 227 of The Constitution of India to strike off the plaint in OS No.21 of 2023 on the file of the Learned District Munsif, Vilathikulam as it frivolous and an abuse of the process of law.

For Petitioner : Mr. A K Manikkam,
Advocate.

ORDER

This Civil Revision Petition is filed to strike off the plaint in O.S.No.21 of 2023 on the file of the Learned District Munsif, Vilathikulam as it frivolous and an abuse of the process of law.

2. The claim of the petitioner is that the plaintiffs who are the respondents 1 to 8 in this petition, do not have any right in the property. Therefore, he would submit that there is no cause of action to the respondents to initiate a suit against the petitioners and the ninth respondent.

3. Such issues cannot be decided in a petition under Article 227 of Constitution of India and the same could be raised before the Court, if so advised the petitioners can also move the Court below invoking its power under Order 7 Rule 11 of CPC, seeking rejection of the suit.



CRP(MD). No.3043 of 2025

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4. Accordingly, this Civil Revision Petition is dismissed, with liberty to move the Court below under Order 7 Rule 11 of CPC. No costs. Consequently, connected miscellaneous petition stands closed.

27.10.2025

NCC : yes /no
Index : yes / no
Internet : yes /no

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To

1. The District Munsif, Vilathikulam.
2. The Section Officer, VR Section,
Madurai Bench of Madras HighCourt,
Madurai.



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CRP(MD). No.3043 of 2025

K.KUMARESH BABU, J.

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ORDER
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