



CRP(MD). No.3673 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 08.12.2025

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THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

CRP(MD). No.3673 of 2025

1.P.Senthil Kumar

2.P.Shanthi

... Petitioners

Vs

1.The Joint Commissioner (HR and CE Department),
First Floor,
Tiruppur Regulated Market Complex
Tiruppur-Palladam Road
Town Extension
Thirupur 641 604.

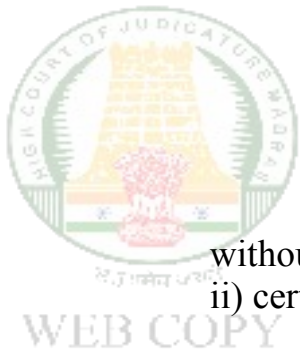
2.The Assistant Commissioner (HR and CE Department)
11 AD, Saminathapuram
1st Cross Street
Karur District - 639 001.

3.Arulmigu Bala Subramaniaswamy Temple
Rep by its Executive Officer
Vennaimalai
Karur District 639 006.

... Respondents

PRAYER :-Civil Revision Petition filed under Article 227 of the Constitution of India, to direct the Honourable Sub-Court, Karur to number the Plaint in O.S.SR.No.16059 of 2025 upon re-presentation

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without insisting for i) Revenue records relating to the Suit property and
ii) certified copies of the HR and CE Order dated 06.05.2025.

For Petitioner : Mr.S.Ramsundar Vijayraj

For R1 & R2 : Mr.F.Deepak
Special Government Pleader

For R3 : Mr.P.Aathimoola Pandian
standing counsel

ORDER

This Civil Revision Petition has been filed seeking a direction to the learned Subordinate Judge, Karur, to number the plaint in O.S.SR.No16059 of 2025, upon re-presentation without insisting for i) revenue records relating to the suit property and ii) certified copy of the order of the HR and CE Department, dated 06.05.2025.

2.Mr.F.Deepak, learned Special Government Pleader takes notice for the respondents 1 and 2 and Mr.P.Aathimoola Pandian, learned standing counsel takes notice for the third respondent.

3.The petitioners/plaintiffs filed a suit in O.S.SR.No16059 of 2025 seeking for the relief of declaration that they are the owners of the suit property along with other reliefs. The plaint was returned by the trial



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Court on two occasions for rectification of certain defects. After carrying out the defects, the petitioners re-presented the plaint twice. Subsequently, when the suit was listed on 29.10.2025, the Court below had once again returned the plaint stating that the revenue records relating to the suit property were not produced and the certified copy of the order passed by the HR & CE has also not been produced. Challenging the same, the present Civil Revision Petition is filed.

4.The learned counsel for the petitioners reiterating all the contentions set out in the memorandum of Civil Revision Petition would submit that returning the plaint by the Court below is a ministerial act. He would further submit that if the plaint is not numbered, the petitioners will be put to irreparable loss and hardship. Therefore, he seeks interference of this Court with the order impugned in this Civil Revision Petition.

5.I have considered the arguments advanced by the learned counsel on either side and perused the materials available on record.



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6. Admittedly, the trial Court has to follow the procedure contemplated under Order VII Rule 11 of CPC, while numbering the plaint. Further, this Court by an order dated 16.07.2021, in C.R.P. (MD) Nos. 915, 943, 967, 991 & 330 of 2020 has also issued directions to the Registry of the trial Court for numbering the plaint strictly in accordance with Order VII Rule 1 of CPC.

7. The petitioners/plaintiffs filed O.S.SR.No16059 of 2025 for declaration and for consequential injunction. However, the plaint was returned by the trial Court twice. After rectifying the defects, the petitioners re-presented the said plaint. However, for the third time, the Court below has again returned the plaint on 29.10.2025, stating that the revenue records relating to the property were not produced and the certified copy of the order passed by the HR & CE has also not been produced.

8. It is to be noted that in the absence of any original documents, which are to be annexed along with the plaint at the time of numbering the plaint, such a prayer sought for by the plaintiff cannot be considered



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by the trial Court. The crux of the petitioners' contention is that the trial Court used to return the plaint in a routine manner without independently applying mind as to the complete requirements for numbering the plaint which has caused severe hardship to the petitioners. If such prayer of the petitioners is entertained by this Court, then this Court will be burdened with umpteen number of cases like the case on hand.

9.However, considering the limited request made by the petitioners and also considering the hardship that would be caused to the petitioners/plaintiffs, in the interest of justice, this Court is inclined to direct the petitioners to re-present the plaint again.

10.Accordingly, the petitioners are directed to re-present the plaint within a period of two weeks from the date of receipt of a copy of this order along with the requisite documents as sought for by the Court below. On such re-presentation, the trial Court is directed to number the plaint by following the procedure contemplated under the Order VII Rule 11 of CPC and also the judgment rendered by this Court in the Civil Revision Petitions stated supra.



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WEB COPY 11.This Civil Revision Petition stands disposed of with the
aforesaid directions. No costs.

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No

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To

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N.SENTHILKUMAR, J.

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