



CRP(MD). No.3285 of 2024

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

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**Dated : 19/08/2025**

**CORAM**

**THE HONOURABLE MR. JUSTICE M.DHANDAPANI**

**CRP (MD). No.3285 of 2024 and  
CMP(MD) Nos.18963 of 2024 and 13457 of 2025**

1. Sivanantham,

2. Latha

... Petitioners

Vs

G.Mahendran,  
S/o.Gurusamy,  
No.41a, Chetti Street,  
Pattukkottai Town and Taluk,  
Thanjavur District..

... Respondent

PRAYER :-Civil Revision Petition filed under Article 227 of the Constitution of India to strike off the plaint in O.S.No.116 of 2022 on the file of the III Additional district and sessions Judge, Thanjavur at Pattukkottai.

For Petitioner : Ms.J.Anandhavalli

For Respondents : Mr.B.Anandan



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**ORDER**

This Civil Revision Petition is filed to strike off the plaint in O.S.No.116 of 2022 on the file of the III Additional district and sessions Judge, Thanjavur at Pattukkottai.

2. The petitioners are the defendants in OS No.116/2022 on the file of the III Additional District and Sessions Judge, Thanjavur. The said suit was instituted by the respondent/plaintiff for specific performance on the basis of the sale agreement of the year 2010. The period prescribed in the sale agreement is only three years, whereas, the suit is filed after a lapse of 12 years, which is impermissible and on the ground of delay, the petitioner is before this Court with this petition to strike off the plaint.

3. I have considered the rival submissions and perused the materials available on record.

4. From the perusal of the records, it is seen that the sale agreement is of the year 2010. The suit is filed in the year 2022, ie., after a lapse of



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twelve long years. When the period prescribed in the sale agreement is only three years, filing a suit after a period of more than 12 years, is impermissible one. However, the grounds raised are triable in nature and it can be adjudicated and tried at the time of trial only. At the time of progressing the trial, filing a petition by invoking Article 227 of the Constitution of India is not sustainable. Accordingly, the Civil Revision Petition is dismissed with liberty to the petitioner to canvas all the points at the time of trial. No costs. Consequently connected Miscellaneous Petitions are closed.

**19.08.2025**

**NCC : Yes/No**

**Index : Yes/No**

**RR**

**TO**

1.The III Additional district and sessions Court  
Thanjavur at Pattukkottai

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



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**M.DHANDAPANI,J**

**RR**

**ORDER  
IN  
CRP(MD) No.3285 of 2024**

**Date : 19/08/2025**