



WEB COPY

CRP No. 360 and 398 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-02-2026

CORAM

THE HON'BLE MR.JUSTICE S. SOUNTHAR

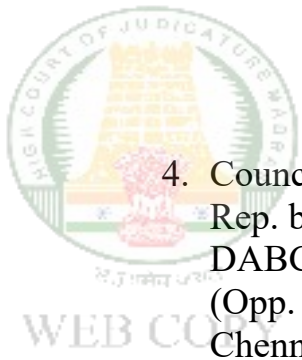
CRP Nos. 360 and 398 of 2026

Sripriya, W/o. Senthil Kumar,
Res. at No.149, 2nd Floor,
No.105a And 107, Shyams Sankalpa,
Chennai Main Road,
Ayanambakkam, Chennai-600 095.

...Petitioner(s) in both
civil revision petitions

Vs

1. Cholamandalam Investment and Finance Company Limited, Rep. by its Manager, No.55/55/1, Chowringhee Road, Choudhury' s Estate, 5th Floor, Kolkata-700 071.
2. Cholamandalam Investment and Finance Company Ltd., Rep. by its Zonal Manager, No.C54 and 55, Super B-4, Thiru Vi Ka Industrial Estate, Guindy, Chennai 600 032.
3. Roy Legal Associates, Rep. by its President, Ashoka Chamber, 6, Garstin Place, 3rd Floor, Room No.302, Kolkata 700 001.



4. Council for Indian and International Arbitration
Rep. by its President, No.6, M.T.H. Road,
DABC Complex 3rd Floor,
(Opp. Nathamuni Bus Stop) Villivakkam,
Chennai 600 049.

..Respondent(s) in
CRPNo.360 of 2026

1. Kotak Mahindra Bank Limited
Rep. by its President,
registered Office at 27, BKC,
C 27, G Block, Bandra Kurla Complex,
Bandra (East), Mumbai-400 051.
2. Kotak Mahindra Bank Ltd
Rep.by its Zonal Manager,
Zone II, 2nd Floor, Office, Bldg No.21,
Raheja Infinity Park, Off Film city Road,
Dindoshi, Malad (E) Mumbai 400 097.
3. Kotak Mahindra Bank Ltd
Rep.by its Associative Vice president,
Having its office at, II Floor, No.39, ceebros Center,
Montieth Road, Egmore, Chennai 8.
4. Kotak Mahindra Bank Ltd,
Rep.by its Manager,
Ground and First Floor, 8/10 MIG,
Bharathi Salai, Mogappair West,
Ambattur Industrial Estate, Chennai 37.
5. J.M.Swift Consultancy Services
Rep.by its Proprietor, Office NO.307, 3rd Floor,
M.K.Bhavan, S.B.S.Road, Ballard Estate,
Fort, Mumbai 400 001.
6. Harsha Mirashi, Sole Arbitrator,
No.307, 3rd Floor, M.K.Bhavan,
S.B.S.Road, Ballard Estate, Fort,
Mumbai.

... Respondents in
CRP No.398 of 2026



Prayer in CRP No.360 of 2026: Civil Revision petition filed under Article 227 of Constitution of India to set aside the Plaint order dated 30.09.2025 passed by the Learned Principal District Judge, Tiruvallur, in Unnumbered OSSR No.10165/2025, and direct the Principal District Judge, Tiruvallur to take the plaint on file.

Prayer in CRP No.398 of 2026: Civil Revision petition filed under Article 227 of Constitution of India to set aside the Plaint order dated 30.09.2025 passed by the Learned Principal District Judge, Tiruvallur, in Unnumbered OSSR No.7164/2025, and direct the Principal District Judge, Tiruvallur to take the plaint on file.

In both civil revision petitions

For Petitioner(s): Mr.A.Navaneetha Krishnan,
Senior Advocate
for Mr.M.Jothi Kumar

COMMON ORDER

Both the civil revision petitions have been filed challenging the orders passed by the Trial Court, returning the plaint in OS SR No.10165 of 2025 and O.S.Sr No.7164 of 2026 presented by the petitioner, by order dated 30.09.2025, raising certain objections with regard to the maintainability of the first prayer in the plaint.



2. The learned Senior Counsel appearing for the petitioner would submit that the plaint was returned earlier, raising certain objections and the petitioner cured the defects pointed out by the Trial Court and re-presented the plaint. Again, the plaint was returned by the Trial Court, raising certain objections with regard to the maintainability of the first prayer. The learned Senior Counsel further submitted that the return of plaints on different ground by the Trial Court is directly against the order passed by this court in ***Selvaraj Vs. Koodankulam Nuclear Plant India Limited reported in (2021) 5 Mad L.J. 467.***

3. It is seen from the impugned order that the Trial Court returned the plaint, raising certain objections with regard to the maintainability of the first prayer in the suit. If the plaint is returned, the petitioner is expected to re-present the plaint by offering her explanations. However, it is not open to the petitioner to rush this court, challenging the order of return.

4. Therefore, the petitioner is directed to re-present the plaints, within two weeks from the date of receipt of copy of this order, offering her explanations to the return made by the Trial Court. If the Trial Court is satisfied with the explanations offered by the petitioner, it can proceed to number the plaint and dispose of the suits on its own merits. On the other hand, if the Trial Court is not satisfied with the explanations offered by the petitioner, the matter shall be



called in open court and the petitioner shall be afforded with an opportunity to put forth her arguments. Thereafter, orders shall be passed on the maintainability, on its own merits.

5. With the above directions, both the civil revision petitions are disposed of. There shall be no order as to costs.

02-02-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

MST

To

The Principal District Judge, Tiruvallur.



WEB COPY

CRP No. 360 and 398 of 2



S.SOUNTHAR, J.

MST

CRP Nos. 360 and 398 of 2026

02-02-2026