



WEB COPY

CRP No. 631 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-02-2026

CORAM

THE HON'BLE MR.JUSTICE S. SOUNTHAR

CRP No. 631 of 2026

1. A.Paliyan
2. Pushparathi

..Petitioner(s)

Vs

1. P.Andrew Sheelan
2. T.Prabha

..Respondent(s)

Prayer:- Civil Revision Petition filed under Article 227 of the Constitution of India praying to set aside the return endorsement made in O.S.Sr.No.634 of 2026 dated 19.01.2026 on the file of the City Civil Court, Chennai and direct the City Civil Court, Chennai to number the suit and dispose the same in manner known to law.

For Petitioner(s):

Mr.N.Palanikumar

for M/S.P.Kannan Kumar

ORDER

The civil revision petition is filed challenging the order of return dated 19-01-2026 passed by the trial court.



2. The petitioners/plaintiffs filed a suit seeking cancellation of the settlement deed executed by them dated 15-02-2007 and for permanent injunction restraining the defendants from alienating or encumbering the suit property. The petitioners also sought for declaration that settlement deed executed by first defendant in favour of second defendant dated 29-09-2025 was null and void. The above plaint presented by the petitioner was returned by the trial court on 09-01-2026 raising several objections including the question of limitation. The petitioner represented the plaint on 12.01.2026 offering his explanation. Again the plaint was returned on 19-01-2026 by way of impugned order stating that previous return No. 1 relating to limitation holds good. Aggrieved by the said order of return, the petitioner has come before this court.

2. If the plaint is returned by the trial court raising objection with regard to the limitation, it is for the petitioner to represent the same by offering his explanation. If the court is not satisfied with the explanation offered by the petitioner then, the matter shall be called in open court. Instead of following the said procedure, the trial court is not justified in returning the plaint again and again.

3. In view of the same, the petitioner is directed to represent the returned plaint within a period of two weeks from the date of receipt of a copy of this order by offering his explanation regarding the objection as limitation. If the trial court is not satisfied with the explanation offered by the petitioner, then the matter shall be called in open court and the petitioner shall be given an



opportunity to put forth his case. Thereafter, the order shall be passed on merits as to the maintainability of the suit.

4. With this direction, the civil revision petition stands disposed of. No costs.

11-02-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

nr

To

The City Civil Court, Chennai



WEB COPY

CRP No. 631 of 2



S.SOUNTHAR, J.

NR

CRP No. 631 of 2026

11-02-2026