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C.R.P.No.857 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 23.02.2026

CORAM:

THE HONOURABLE MR.JUSTICE P.B.BALAJI

C.R.P.No.857 of 2026

The Canara Bank,
Dharapuram Branch,
Rep.by its Branch Manager,
Having head office at 112,
JC Raod, Bangalaore – 560 002
Branch office at
Dharapuram,
Dharapuram Taluk,
Tiruppur District.

... Petitioner

Vs.

R.Nirmalkumar

... Respondent

Prayer:- Civil Revision Petition filed under Article 227 of Constitution of India, to direct the Principal District Court, Tiruppur to number the unnumbered O.S.CFR.No.13759 of 2025 as a regular suit and decide the same on merits and in accordance with law.

For Petitioner : Mr.N.Manoharan

ORDER

Heard the learned counsel for the petitioner and perused the materials available on record.

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2. The Revision petitioner/Bank had advanced an agricultural loan to the respondent. The suit filed by the Bank for recovery of the amount due from the respondent/defendant has been repeatedly returned by the Court below on the ground that the dispute constitutes a “commercial dispute” within the meaning of Section 2(c) of the Commercial Courts Act, 2015.

3.The learned counsel for the petitioner submitted that the loan in question is purely an agricultural loan and, therefore, the suit is maintainable before the ordinary Civil Court and there is no necessity to approach the Commercial Court. However, despite such representation, the learned Trial Judge once again returned the plaint placing reliance upon the order passed by this Court in CRP No. 1113 of 2024.

4.The learned counsel invited the attention of this Court to the order passed in the said Revision and submitted that, in that case, the loan was availed for educational and housing purposes and, in those circumstances, this Court held that the suit would fall within the ambit of Section 2(c) of the Commercial Courts Act. Unfortunately, without

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adverting to the distinguishing features of the present case, the learned Trial Judge has declined to entertain the suit filed by the Bank.

5.In the light of the above, the docket order dated 28.11.2025 passed by the learned Principal District Court, Tiruppur, is set aside. The Registry is directed to return the original plaint, if produced before this Court, within a period of one week from the date of uploading of a copy of this order, after obtaining due acknowledgement from the learned counsel for the Revision Petitioner, to enable the petitioner to re-present the same before the Court below. The petitioner shall re-present the papers within a period of two weeks thereafter. On such re-presentation, the learned Principal District Court, Tiruppur, shall entertain and number the suit, if it is otherwise in order, in accordance with law.

6.In the result, this Civil Revision Petition is allowed. No costs.

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Index : Yes/No
Neutral Citation : Yes/No
Speaking/Non-Speaking Order
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To

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The Principal District Court, Tiruppur.



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P.B.BALAJI, J.

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