



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-03-2026

CORAM

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 1213 of 2026 & CMP.No.6060 of 2026

1. R.Sundari alias Kanniammal,
D/o.Late Govind Chettiar,
Residing at
Periakuppam Village,
Panaiyur, Cheyyur Taluk,
Chengalpattu District.
2. K.Seetha,
D/o.Late Govind Chettiar,
Residing at
Sunami Housing Colony,
Thazhuthalikuppam Village,
Mudaliarkuppam,
Cheyyur Taluk,
Chengalpattu District.
3. G.Bhumesh alias Bhuvaneswaran,
S/o.Late Govinda Chettiar,
Residing at
Panaiyur Periakuppam Village,
Cheyyur Taluk,
Chengalpattu District.
4. K.Suguna,
W/o.Late G.Pitchai alias Karunanidhi,
Residing at
Panaiyur Periakuppam Village,
Cheyyur Taluk,
Chengalpattu District.
5. K.Kumaran,
S/o.Late G.Pitchai alias Karunanidhi,



Residing at
Panaiyur Periakuppam Village,
Cheyyur Taluk,
Chengalpattu District.

6. K.Gukan,
S/o.Late of G.Pitchai alias Karunanidhi,
Residing at
Panaiyur Periakuppam Village,
Cheyyur Taluk,
Chengalpattu District.

7. R.Rajkumar,
S/o.Radhakrishnan,
Residing at
No.3/876, Maniammai Street,
Palavakkam Periar Nagar,
Chennai -600 041.

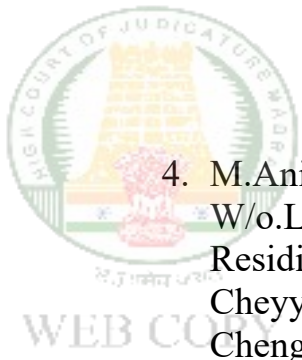
..Petitioner(s)

Vs

1. Fathimuthu Beevi,
W/o.Noor Mohamed Sahib,
Residing at Vilambur Village,
Cheyyur Taluk,
Chengalpattu District.

2. K.N.Dhul Bahar Ali,
S/o.Noor Mohamed Sahib,
Residing at Vilambur Village,
Cheyyur Taluk,
Chengalpattu District.

3. K.N.Basheer Ahamed,
S/o.Noor Mohamed Sahib,
Residing at Vilambur Village,
Cheyyur Taluk,
Chengalpattu District.



4. M.Anish Beevi,
W/o.Late K.N.Mohamed Meeran,
Residing at Vilambur Village,
Cheyyur Taluk,
Chengalpattu District.
5. Minor Fargees Banu,
D/o.Late K.N.Mohamed Meeran,
Minor Rep. by Guardian and
next friend Anisha Beevi,
Residing at Vilambur Village,
Cheyyur Taluk,
Chengalpattu District.
6. Minor Murshitha Banu,
D/o.Late K.N.Mohamed Meeran,
Minor Rep. by Guardian and
next friend Anisha Beevi,
Residing at Vilambur Village,
Cheyyur Taluk,
Chengalpattu District.
7. The Sub Registrar,
Cheyyur Sub Registration Office,
Cheyyur Taluk,
Chengalpattu Taluk and District.
8. The Tahsildar,
Cheyyur Taluk Office,
Cheyyur Taluk,
Chengalpattu District.

..Respondent(s)

Prayer : Civil Revision Petition filed under Article 227 of Constitution of India to set aside the Order dated 21.03.2024 passed in I.A.No.135 of 2023 in O.S.No.50 of 2022 on the file of District Munsiff Cum Judicial Magistrate at Cheyyur and allow the Civil Revision Petition

.

For Petitioner(s):

R.Ragavendran



For Respondent(s):

Mr.N.Nagu Sah For R2

Mr.C.Sathish,
Government Advocate – R7 & R8

ORDER

Challenging the impugned Order passed by the trial Court in I.A.No.135 of 2023 in O.S.No.50 of 2022, the defendants 1 to 7 have preferred this Civil Revision Petition.

2. The plaintiffs have filed the suit for declaration to declare the sale deeds dated 10.12.1978 and 07.04.1980 executed in favour of Govinda Chettiar and the General Power of attorney dated 10.01.2018 executed by the defendants 1 to 6 in favour of the 7th defendant as null and void and the same are not binding on the plaintiffs and for consequential injunctions. The petitioners on their entering appearance in the suit, had filed an application before the trial Court to reject the plaint stating that there is no cause of action to file the suit and that the suit filed by the plaintiffs is barred by limitation. The said application has been contested by the plaintiffs. The trial Court, considering the submissions on either side had dismissed the application holding that execution of the documents and reliefs sought by the respondents/plaintiffs can be decided only after full fledged trial as the question of limitation is a mixed question of



fact and law. Aggrieved over the same, the present Civil Revision Petition has been preferred by the defendants 1 to 7.

WEB COPY

3. According to the revision petitioners, the suit properties were purchased by the father of the revision petitioners 1 to 6 long back in the year 1979-1980 and survey number of the property is 122/2. Whereas, the plaintiffs are claiming right over the property in Survey No.212/2, including their property and the plaintiffs have come forward with the present suit in year 2022 to declare that the sale deeds of the year 1979 and 1980 are null and void and as such the suit is clearly time barred one. The trial Court had failed to take note of the above fact and erroneously dismissed the application. Hence, they seeks to set aside the Order of the trial Court and to reject the plaint.

4. A perusal of the Order of the trial Court and the relief claimed by the plaintiff in the suit reveals that the plaintiff claim right over the suit property and sought to declare the sale deeds of the year 1979 and 1980 as null and void and for consequential reliefs. According to the plaintiffs, they came know about the sale deeds only on 10.08.2021 and they also claim that there is final decree passed in O.S.No.25 of 1958 and they had also taken delivery of the property. Whereas, the revision petitioners/defendants would contend that based on the purchase made by their ancestors through the sale deeds of the year 1979 and 1980, they are in possession and enjoyment of the suit property and by



recognizing their possession, patta has also been granted by the revenue authorities in patta No.2389 and after the demise of their father, as legal heirs, they are enjoying the property. Therefore, the revision petitioners/defendants are claiming absolute right over the property based on the sale deeds of the year 1979 and 1980. Therefore, title is in dispute and the same can be decided only by adjudicating the issues between the parties after full fledged trial. Hence, this Court is of the view that the Order of the trial Court needs no interference. Liberty is granted to the revision petitioners to raise all their defence before the trial Court. The trial Court is directed to dispose of the suit in O.S.No.50 of 2022 as early as possible.

5. With the above directions, this Civil Revision Petition is dismissed.

No costs. Consequently, connected miscellaneous petition is closed.

10-03-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

vrc



To

1. The District Munsif cum Judicial Magistrate,
Cheyyar.
2. The Sub Registrar,
Cheyyur Sub Registration Office,
Cheyyur Taluk,
Chengalpattu Taluk and District.
3. The Tahsildar,
Cheyyur Taluk Office,
Cheyyur Taluk,
Chengalpattu District.



WEB COPY



CRP No. 1213 of 2

T.V.THAMILSELVI, J.

VRC

CRP No. 1213 of 2026

10-03-2026



WEB COPY

CRP No. 1213 of 2

