



C.R.P. No.1425 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-03-2026

CORAM

THE HONOURABLE MRS. JUSTICE N. MALA

C.R.P. No.1425 of 2026

Sivakami

... Petitioner/ Plaintiff

Vs

Arunachalam (Died)

1. Dharmalingam
2. TamilSelvi
3. Senthil Kumar

... Respondents/ Respondents

PRAYER : Civil Revision Petition filed under Article 227 of the Constitution of India to direct the Principal District Court of Tiruppur to trace the missing bundles in OSCMACFR No.10520 of 2022 within a stipulated time or in the alternative direct the Principal District Court of Tiruppur accept the fresh filing of papers in OSCMACFR No.10520 of 2022 and number the same.

For Petitioner : Mr. Sam Jayaraj Houston

ORDER



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This Civil Revision Petition is filed for directing the Principal District Court of Tiruppur to trace the missing bundles in OSCMACFR No.10520 of 2022 within a stipulated time or in the alternative, directing the Principal District Court of Tiruppur to accept the fresh filing of papers in OSCMACFR No.10520 of 2022 and number the same.

2.1 The facts leading to the above civil revision petition are as follows:

2.2 The petitioner filed a suit in O.S.No.331 of 2018 on the file of the Sub Court, Tiruppur against the respondent, for the relief of partition of the suit properties. Thereafter, the suit was transferred to Sub Court, Palladam and since the petitioner was not able to regularly appear before the Court due to his ill health, the suit was dismissed for default on 11.09.2019 by the Sub Court, Palladam. Thereafter, the petitioner filed an application in I.A.No.173 of 2019, to condone the delay in seeking to restore the suit and the same was dismissed on 11.11.2019. Thereafter, the petitioner preferred an appeal before the Principal District Court, Tiruppur along with an application for condoning the delay of 18 days in I.A.No.1299 of 2022 in OSCMACFR No.10520 of 2022, which was dismissed by the learned Principal District Judge, by an order dated



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08.03.2023.

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2.3 Aggrieved by the said order, the petitioner preferred a civil revision petition before this Court in C.R.P. No.2442 of 2023 and the same was allowed on 20.12.2023, on condition of payment of costs of Rs.5,000/- to the respondents within two weeks from the date of the order. The petitioner states that he complied with the said order of this Court and a memo dated 13.03.2024 was also filed and recorded. Thereafter, the petitioner approached the Principal District Court, Tiruppur to number the Civil Miscellaneous Appeal, but the Registry of the Principal District Court, informed him that the bundle was misplaced by the officers of the Court. Therefore, the petitioner applied under RTI, to which the Public Information Officer, of the Principal District Court, on 13.08.2025 replied, stating that the original copy of the petition and affidavit in I.A.No.1299 of 2022, along with the original order dated 08.03.2023, made in OSCMACFR No.10520 of 2022, were available in the Court records. Despite the said communication, no steps were taken to number and restore the aforementioned Civil Miscellaneous Appeal. Therefore, the petitioner once again filed a second RTI application to the Principal District Court, for which on 25.10.2025, it was replied that the case bundle was sent to the Court Officer for drafting of final order in I.A.No.1299 of 2022, but when it was searched for the compliance of the High Court order, it was found that the



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case bundle got mixed up with other Court bundles. Thereafter, the petitioner filed an appeal under RTI to this Court. In the appeal, the Registrar General of this Court, by his letter dated 23.01.2026, directed the District Judge, Tiruppur to take effective steps to trace the case bundle, however, no action was taken. Therefore, the petitioner was constrained to file the above Civil Revision Petition.

3. The learned counsel appearing for the petitioner submitted that, despite his efforts to trace the bundle, which was misplaced due to the negligence of the officers of the Principal District Court, no action was taken to trace out the same. The learned counsel further submitted that, he has come on change of vakalat, therefore, for want of papers, he could not file the petition for restoration. Therefore, the learned counsel prayed that appropriate orders may be passed, directing the Principal District Court, Tiruppur to trace out the missing case bundles in OSCMACFR. NO.10520 of 2022 or permit the petitioner herein to file a fresh papers in the aforementioned Civil Miscellaneous Appeal.

4. When the matter was taken on 11.03.2026, this Court directed the Registry to call for a report from the learned Principal District Judge, Tiruppur, with reference to the aforementioned Civil Miscellaneous Appeal. Pursuant to



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the said direction of this Court, the learned Principal District Judge, Tiruppur has sent a communication dated 17.03.2026 to the Registrar General, High Court of Madras, confirming that the records pertaining to OSCMACFR.Nos.10520 and 10521 of 2022 were missing and that, disciplinary proceedings were initiated against the Steno-Typist Grade-I, in accordance with rules and procedures. The learned Principal District Judge, further stated that, the particulars of the documents filed and the Court fee paid in the aforementioned Civil Miscellaneous Appeals are available in the relevant filing registers and hence fresh filing of papers relating to the missing case bundles in OSCMACFR Nos.10520 and 10521 of 2022 may be permitted, subject to the order of this Court.

N. MALA, J.

stn

5. In view of the above communication of the learned Principal District Judge, Tiruppur, this Court is inclined to permit the petitioner to file fresh papers in OSCMACFR No.10520 of 2022. On such filing, the Principal District Court, Tiruppur, shall accept the same, number it and take it on file.

6. Accordingly, this civil revision petition is allowed with the above



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said directions. There shall be no order as to costs.

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18.03.2026

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To

The Principal District Judge,
Tiruppur.

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