



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-04-2026

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 2068 of 2026

1. Saraswathy,
W/o.Srinivasan, No.4, 12th Cross
Street, Sri Mahalakshmi Nagar
Extension -1, Near Kokila Street,
Nandivaram Village, Guduvancheri
-603 202.

Petitioner(s)

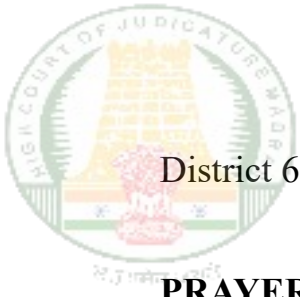
Vs

1. Devaraj Naidu (Died) 1.
Chakarapani,
S/o.Devaraj Naidu, No.37, Sengazhani
amman Koil Street, Nandivaram
Village, Guduvancheri Post,
Chengalpattu Taluk, Kanchipuram
District 603 202.

2.Vaithiyanthi,
W/o.Govardhana Naidu, No.4, 12th
Cross Street, Sri Mahalakshmi Nagar
Extension -1, Near Kokila Street,
Nandivaram Village, Guduvancheri
-603 202.

3.Shanmugham,
S/o.Elumalai Naicker, No.22,
Gengaiamman Koil Street,
Karanaipuducheri, Chengalpattu -603
202.

4.Soundarajan,
S/o.Chinnappa Naidu, No.23,
Kamarajapuram 1st Street, Nandivaram
Village, Guduvancheri Post,
Chengalpattu Taluk, Kanchipuram



District 603 202.

Respondent(s)

PRAYER

Civil Revision Petition filed under Article 227 of Constitution of India, prays to set aside the Order dated 09.10.2023 passed by the Principal District Judge, Chengalpet in unnumbered IA.SR.No.13838 of 2023 in O.S.No.15 of 2007.

For Petitioner(s): Mr.S.Ramesh

For Respondent(s):

ORDER

The revision petitioner has filed this revision to set aside the Order dated 09.10.2023 passed by the Principal District Judge, Chengalpet in unnumbered IA.SR.No.13838 of 2023 in O.S.No.15 of 2007.

2. Before the trial Court, the revision petitioner filed an application to reconstruct the plaint in O.S. No. 15 of 2007 on the file of the Principal District Court, Chengalpattu. Subsequently, the suit was transferred to the Subordinate Court, Chengalpattu and renumbered as O.S. No. 229 of 2010. Thereafter, due to pecuniary jurisdiction, the plaint was returned on 20.06.2012 for presentation before the appropriate Court.

3. During this process, the case papers were misplaced and the plaint could not be traced. The petitioner, who is aged about 65 years and is a 50% disabled woman, had already paid the requisite court fee and sought permission



to reconstruct the plaint to proceed with the trial. However, the Court below dismissed the application at the numbering stage itself.

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4. On perusal of the order passed by the learned trial Judge, it is seen that the application was rejected on the ground that the Court is not responsible for the loss of records by the petitioner's counsel, who has since passed away.

5. It is an admitted fact that the suit was originally filed and taken on file as O.S. No. 15 of 2007 before the Principal District Court, Chengalpattu and that necessary court fee had been paid. Due to pecuniary jurisdiction, the plaint was returned and later misplaced. The earlier counsel who handled the case is no more, and the petitioner is in possession of a copy of the plaint.

6. In such circumstances, permitting reconstruction of the plaint would not prejudice any party and is necessary in the interest of justice. The trial Court erred in dismissing the application on technical grounds.

7. Accordingly, the order passed by the learned trial Judge in unnumbered IA.SR.No.13838 of 2023 in O.S.No.15 of 2007, on the file of the Principal District Judge, Chengalpet is set aside. The petitioner is permitted to reconstruct



the plaint.

8. The learned District Munsif, Chengalpattu is directed to reconstruct the
plaint as prayed for.

9. Accordingly, the Civil Revision Petition is allowed. No costs.

22-04-2026

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No
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To

1. The Principal District Judge,
Chengalpet.
2. The Section Officer, VR Section,
High Court of Madras.



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T.V.THAMILSELVI J.
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