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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-11-2026

CORAM

THE HON'BLE MR JUSTICE N. ANAND VENKATESH

Civil Revision Petition No.3643 of 2026
and
C.M.P.No.15816 of 2026

Case QR

CNR: {HCMA010663892026}

V.Dhanalakshmi
W/o.Varadharajan

..Petitioner

Vs

A.Padma
W/o.Aadhimoolam

..Respondent

Civil Revision Petition filed under Article 227 of the Constitution of India against the order and decretal order dated 09.02.2024 passed in I.A.No.2 of 2023 in O.S.No.2768 of 2022 on the file of the learned VII Additional Judge, City Civil Court, Chennai.

For Petitioner : Mr.C.Sundarraj

For Respondent : Mr.B.Venkatesan

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ORDER

This civil revision petition has been filed under Article 227 of the Constitution of India against the order dated 09.02.2024 passed in I.A.No.2 of 2023 in O.S.No.2768 of 2022 by the learned VII Additional Judge, City Civil Court, Chennai, wherein the application filed by the respondent/defendant under

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Order VII Rule 11 CPC seeking rejection of plaint, came to be allowed by the Court below.

2. Heard learned counsel on either side and carefully perused the materials available on record. This Court also went through the impugned order.

3. The petitioner is the plaintiff, who filed the suit in O.S.No.2768 of 2022 seeking the relief of partition and allotment of share. The respondent/defendant filed an application in I.A.No.2 of 2023 in O.S.No.2768 of 2022 under Order VII Rule 11 CPC seeking rejection of plaint and this application came to be allowed by the Court below. Aggrieved by the same, the present revision has been filed.

4. Learned counsel for petitioner submitted that a suit for partition can never be rejected under Order VII Rule 11 CPC and therefore, the Court below committed a grave error in entertaining the application.

5. In the considered view of this Court, an order passed under Order VII Rule 11 CPC rejecting the plaint is construed as a decree under Section 2(2) CPC. Therefore, only a regular appeal will lie before the competent Court. It is also seen from the e-Court status that the main suit itself has been disposed of on 09.02.2024 since the plaint was rejected.

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In the light of the above, the present revision is not maintainable and accordingly, this civil revision petition is dismissed. Liberty is granted to the petitioner to work out her remedy before the competent Court by filing an appeal against the order rejecting the plaint. No costs. Consequently, connected miscellaneous petition is closed.

20-11-2026

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

To
The VII Additional Judge,
City Civil Court, Chennai.

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N.ANAND VENKATESH, J.

gm

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