



WEB COPY

CRP No. 1997 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-06-2026

CORAM

THE HON'BLE MR JUSTICE ABDUL QUDDHOSE

CRP No. 1997 of 2024 AND CMP NO. 10595 OF 2024

Thirumuruga Ramalingam

..Petitioner(s)

Vs

1. S. Gandhimathi

2. Velavan

3. The Sub Registrar

Sub Registrar Office, Vadalur, Kurinjipadi Tk,
Cuddalore Dt.

4. The District Registrar

District Registrar Office, Thiruppappuliyur,
Cuddalore, Cuddalore Dt.

..Respondent(s)

To allow the above CRP by setting aside Fair and Decretal Order in IA No.703 of 2023 in OS No.237 of 2021 on the file of Principal District Court, Cuddalore dated 08.04.2024.

For Petitioner(s):

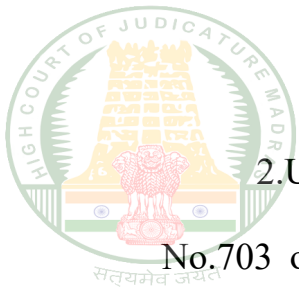
Mr. T.M.Ramalingam

For Respondent(s):

Mr.M.Venkatakrishnan
FOR R1
Mr.V.Balakrishnan,GA
For R3 & R4

Order

This Civil Revision Petition has been filed, challenging the impugned order dated 08.04.2024 passed by the Principal District Court, Cuddalore in IA No.703 of 2023 in OS No.237 of 2021.



2. Under the aforesaid order, the Trial Court had dismissed the I.A. No.703 of 2023 filed by the petitioner seeking for rejection of plaint under Order VII Rule 11 of C.P.C. The following facts are not disputed:

a) The suit was filed by the first respondent against the petitioner in O.S. No.237 of 2021 seeking for partition. Admittedly, the petitioner and the first respondent are brother and sister. The aforesaid suit was dismissed for default on 07.12.2022 and thereafter it was restored to the file of the Trial Court;

b) The subsequent suit filed by the first respondent in O.S. No.18 of 2023 is on the file of the Principal District Munsif Court, Kurinjipadi. In the said suit, the first respondent had arrayed the Government authorities as party defendants. The said suit was filed for permanent injunction to restrain the defendants not to alter the physical features of the suit property and correct the revenue records.

3. On a prima facie consideration, the relief sought for in both the suits are different. The petitioner had earlier filed a Civil Revision Petition before this Court in C.R.P. No.856 of 2023 and by order dated 30.03.2023 in the said C.R.P., this Court directed joint trial of both the suits namely, O.S. Nos.237 of 2021 and 18 of 2023. Despite the said direction, the petitioner has filed an application under Order VII Rule 11 of C.P.C. in O.S. No.237 of 2021 seeking for rejection of plaint.



4. This Court, after giving due consideration to the reasons given by the Trial Court for rejecting the petitioner's application seeking for rejection of plaint, does not find any infirmity in the said reasons. Instead of contesting both the suits, on merits by raising all defences available to the petitioner under law, the petitioner has chosen to file an application under Order VII Rule 11 of C.P.C., which has been rightly rejected by the Trial Court under the impugned order. This Court does not find any infirmity in the impugned order. Accordingly, this Civil Revision Petition is dismissed. Consequently, connected CMP is closed. No costs.

08-06-2026

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

VGA

To

1. The Principal District Court, Cuddalore

2. The Section Officer, VR Section,
High Court, Madras.



WEB COPY

CRP No. 1997 of 2



ABDUL QUDDHOSE J.

VGA

**CRP No. 1997 of 2024
AND
CMP NO. 10595 OF 2024**

08-06-2026