



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-04-2026

CORAM

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 2317 of 2026

1. The Commissioner of Land
Administration
Chennai 005. and 3 Others
2. The District Collector
Ariyalur Dist, Ariyalur.
3. The Revenue Divisional Officer
Ariyalur Dist, Ariyalur.
4. The Tahsildar
Ariyalur Dist, Ariyalur.

Petitioner(s)

Vs

1. Durairaj
S/o.Late Murugesan, No.34, West Kuya St,
Beema Nagar, Trichy Dist.Chennai
- 2.Velusamidurai
S/o.Kannan @ Kumaradurai, Mela
Chellappan Pettai, Panthanallur Post,
Thiruvidadaimarudhur Tk, Thanjavur Dist.

Respondent(s)

Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the return of plaint dated 10.04.2026 in O.S.(SR) No.696 of 2026 (Filing No.OS/50/2026, CNR:TNAL030000372026) on the file of Principal District Munsif Court, Ariyalur.



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For Petitioner(s):

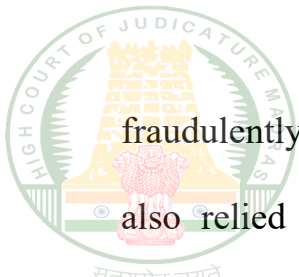
Mr.R.Ramanlaal
Addl.Advocate General
Assisted by
Mr.T.Arunkumar
Addl.Govt.Pleader

ORDER

Aggrieved over the return of the plaint by the trial Judge, the present revision has been filed.

2.Mr.R.Ramanlaal, learned Additional Advocate General, assisted by Mr.T.Arunkumar, learned Additional Government Pleader submits that the decree was obtained in O.S.Nos.33 of 2008 and 35 of 2008 by the defendants in fraudulent manner by colluding with the then Tahsildar and the properties are still classified as “Anadheenam” lands and because of the decree, the State is not able to move with the properties. Having come to know that the defendants colluded with the then Tahsildar and obtained a decree, they filed a suit. But the trial Court failed to take the case on file and returned the plaint which is not sustainable in law. Learned counsel fairly submits that they sought to declare the decree passed in O.S.No.33 of 2008 and O.S.No.35 of 2008 dated 30.04.2008 as invalid. But the trial Court returned the plaint. But now the revision petitioners want to file a separate suit to declare the decree passed in O.S.No.35 of 2008 as null and void.

3. Reading of plaint averments would show that the decree was obtained



fraudulently by relying various G.Os , the settlement proceedings and Notifications and also relied on the ratio laid down by the Hon'ble Supreme Court in the case of ***A.V.Papayya Sastry vs Govt. of A.P*** reported in ***(2007) 4 SCC 221*** which prima facie proves that the plaintiffs are entitled to approach the civil Court,

4. In the light of the above, the trial Judge/Principal District Munsif, Ariyalur is directed to take the case on file within a period of four weeks from the date of receipt of a copy of this order and the plaintiffs are also directed to file a separate suit in respect of the decree passed in O.S.No.35 of 2008.

5. With the above direction, the civil revision petition is disposed of. No costs.

6. Registry is directed to return the original plaint to the learned counsel for the petitioners.

17.04.2026

sr
Index:yes/no
Website:yes/no
Speaking Order/Non-speaking Order

To

The Principal District Munsif Court,
Ariyalur



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T.V.THAMILSELVAM, J

sr

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