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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-11-2026

CORAM

THE HON'BLE MR JUSTICE N. ANAND VENKATESH

CRP No. 2318 of 2024

CNR:{HCMA010982192024}

and

CMP No. 12190 of 2024

Case QR

1. Bapu Andavr @ Basheer Ahmed

2. R.Karpagavalli

..Petitioner(s)

Vs

Santhi.S

..Respondent(s)

PRAYER: This Civil Revision Petition filed under Article 227 of the Constitution of India praying to set aside the fair and decretal order passed in IA.No.1 of 2020 in O.S.No.436 of 2018 dated 08-02-2024, on the file of the Principal District Judge, Tiruvallur, by allowing the Civil Revision Petition.

For Petitioner(s): Mr. K.Suthan

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ORDER

This Civil Revision Petition has been filed under Article 227 of the Constitution of India against the fair and decretal order dated 08.02.2024 passed in I.A.No.1 of 2020 in O.S.No.436 of 2018 on the file of the learned Principal District Judge, Tiruvallur, where in the application filed by the petitioners/defendants under Order VII Rule 11 of Civil Procedure Code for rejection of plaint, came to be dismissed by the Court below.

2. Heard the learned counsel appearing for the petitioner, perused the materials available on record and carefully gone through the order passed by the Court below.

3. The respondent is the plaintiff who filed the suit in O.S.No.436 of 2018 seeking for the relief of declaration and for other consequential reliefs.

4. The petitioners who are the defendants filed an application in I.A.No.1 of 2020 under Order VII Rule 11 of CPC to reject the plaint on the ground that the suit has been grossly under valued and the proper court fee has not been paid.

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5. The Court below dismissed the said application on the ground that the Court can always ascertain the value of the property at an appropriate point of time and if required, direct the plaintiff to pay additional court fees and therefore, the plaint need not to be rejected on that ground at this stage. Aggrieved by the said order, the present revision has been filed before this Court.

6. When the matter was taken up for hearing today, it is brought to the notice of this Court that the Court below has framed various issues and one of the issue is regarding the valuation of the suit property and the Court fee paid.

7. The objection raised on the side of the petitioners regarding the valuation of suit property and the court fee paid can be gone into by the Court below based on the evidence let in and it is not necessary to reject the plaint on this ground. The suit is of the year 2018 and therefore, a direction can be issued to the Court below to dispose of the suit within a time frame.

8. In result, the order passed by the Court below is confirmed and there shall be a direction to the Principal District Judge, Tiruvallur to dispose of the suit in O.S.No.436 of 2018 within a period of 6 months from the date of receipt of a copy of this order.

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9. Accordingly, this Civil Revision Petition is disposed of in the above terms. No costs. Consequently, the connected miscellaneous petition is closed.

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

ksk

To
Principal District Judge, Tiruvallur

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N.ANAND VENKATESH J.

ksk

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