



C.R.P.No.3178 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.06.2026

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

C.R.P.No.3178 of 2026

and

C.M.P.No.13909 of 2026

1.A.Ashokan

2.A.Aleem

... Petitioners

Vs.

1.V.Venu

2.A.P.Gopikrishnan

... Respondents

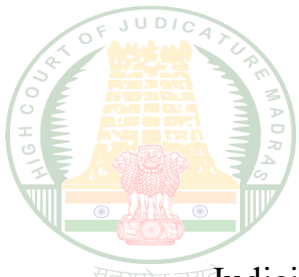
Prayer : Civil Revision Petition is filed under Article 227 of Constitution of India, praying to set aside the Order dated 17.12.2025 passed in I.A.No.4 of 2025 in O.S.No.37 of 2025 on the file of the learned Court of District Munsif-cum-Judicial Magistrate, Pallipattu.

For Petitioners : Mr.B.Arvind Srevatsa

For Respondents : Notice dispensed with

ORDER

This Civil Revision Petition has been filed challenging the impugned order, dated 17.12.2025 passed by the Distruct Munsif-cum-



C.R.P.No.3178 of 2026

Judicial Magistrate Court, Pallipattu in I.A.No.4 of 2025 in O.S.No.37 of 2025.

WEB COPY

2. Since no adverse order is passed against the respondents in this revision, notice to the respondents is dispensed with by this Court.

3. The impugned order has been passed in an application filed by the petitioners, who are the defendants 2 and 3 in the main suit, under Order VII Rule 11 CPC seeking rejection of plaint in O.S.No.37 of 2025. The suit was filed by the 1st respondent/plaintiff seeking permanent injunction to restrain the petitioners/defendants 2 and 3 from interfering with the 1st respondent's peaceful possession and enjoyment of the suit schedule property. During the pendency of the suit, the petitioners have filed an application in I.A.No.4 of 2025 in O.S.No.37 of 2025 seeking rejection of plaint under Order VII Rule 11 CPC on the ground that there is no cause of action for the 1st respondent/plaintiff to sue the petitioners/defendants 2 and 3. The trial court under the impugned order rejected the application filed by the petitioners on the ground that the Order VII Rule 11 CPC application will have to be decided only based on



C.R.P.No.3178 of 2026

WEB COPY

the plaint averments. According to the trial court, the suppression of sale deed, dated 23.09.2024 alleged by the 1st respondent/plaintiff is a matter for trial and cannot be decided through an application Order VII Rule 11 CPC. Admittedly, in the plaint, the 1st respondent/plaintiff has alleged that the petitioners/defendants 2 and 3 had suppressed the sale deed, dated 23.09.2024 standing in the name of the petitioners. When there is an averment made in the plaint and only based on the same, the suit has been filed claiming possession of the suit schedule property by the 1st respondent/plaintiff, the question of rejecting the plaint Order VII Rule 11 CPC does not arise.

4. This Court finds no infirmity in the findings of the trial court with regard to the application filed by the petitioners seeking rejection of plaint. However, this Court is not expressing any opinion on the merits of the respective contentions as the same has to be decided by the trial court only after trial. The suit is of the year 2025. The petitioners/defendants 2 and 3 have categorically pleaded that they are the absolute owners of the suit schedule property and they are in possession of the same by virtue of sale deed, dated 23.09.2024. Since both the parties claim that they are in



C.R.P.No.3178 of 2026

WEB COPY

possession of the suit schedule property, the issue can be decided only after trial and not through an application under Order VII Rule 11 CPC. This Court, deems it fit to direct the trial court to dispose of the suit, within a time frame to be fixed by this Court.

5. For the foregoing reasons, this Court is not interfering with the impugned order, however, this Court, directs the trial court, namely the District Munsif-cum-Judicial Magistrate Court, Pallipattu to dispose of the suit in O.S.No.37 of 2025, within a period of one (1) year from the date of receipt of a copy of this order.

6. With the above direction, this Civil Revision Petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

12.06.2026

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



C.R.P.No.3178 of 2026

WEB COPY
To

The District Munsif-cum-Judicial Magistrate Court,
Pallipattu.



WEB COPY



C.R.P.No.3178 of 2026

ABDUL QUDDHOSE, J.

sp

C.R.P.No.3178 of 2026

12.06.2026