



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-06-2026

CORAM

THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE

CRP No. 3476 of 2026

S.Chellammal

Petitioner(s)

Vs

The Commissioner
Erode City Municipal Corporation,
Office of Municipal Corporation, Erode
District 638 001.

Respondent(s)

PRAYER

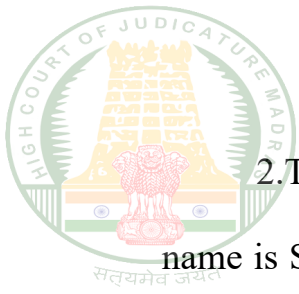
To direct the Learned Principal District Munsif, Perundurai to entertain and take the plaint in unnumbered OS Filing No.23 of 2026 on its file and number the suit, and proceed in accordance with law by allowing this Civil Revision Petition.

For Petitioner(s): Mr.R.Prabakar

For Respondent(s): Mr.V.Balakrishnan, GA

ORDER

This Civil Revision Petition has been filed to direct the District Munsif, Perundurai to number the suit filed by the petitioner in OS Filing No.23 of 2026.



2.The suit has been filed seeking for a declaration that the plaintiff's name is S.Chellammal and to direct the defendant to make relevant entry in the Birth Certificate of the plaintiff's son S.Hariprasath, the name of mother of S.Hariprasath is as S.Chellammal. The petitioner claims that the suit is maintainable and ought to have been numbered.

3.Through the docket orders passed by the Principal District Munsif, Perundurai, which has been placed on record before this Court, the court below has returned the suit without numbering the same since according to the court below, the suit is not maintainable. However, as seen from the docket orders, the contentions of the petitioner as raised in this petition have not been considered by the Principal District Munsif, Perundurai by passing a speaking order. The suit was not listed before the court for maintainability to enable the petitioner's counsel to convince the court that the suit is maintainable.

4.The only limited relief that can be granted by this court in this petition is to direct the Principal District Munsif, Perundurai to list OS Filing No.23 of 2026 filed by the petitioner for maintainability on a specified date to enable the petitioner's counsel to convince the court that the suit is maintainable and a direction can also be issued to the court below to consider the submissions made by the learned counsel for the petitioner's counsel with regard to the maintainability of the suit and thereafter decide as to whether the suit is



maintainable or not. If the Trial Court decides not to entertain the suit, the Trial Court will have to pass a speaking order, after giving due consideration to the submissions made by the petitioner's counsel as well as the authorities relied upon by the petitioner's counsel. If the Trial Court finds that the suit can be entertained, the Trial Court has to number the suit if it is otherwise in order.

5. Accordingly, this Civil Revision Petition is disposed of by directing the Principal District Munsif, Perundurai to list OS Filing No.23 of 2026 before the Court of the Principal District Munsif, Perundurai on a specified date under the caption 'for maintainability' and on that specified date, the petitioner's counsel is directed to make his submission as to how the suit filed by the petitioner is maintainable and if the Trial Court finds that the suit is maintainable, the Principal District Munsif, Perundurai is directed to number the suit if it is otherwise in order and if not the Trial Court is directed to pass a speaking order, after giving due consideration to the submission made by the learned counsel for the petitioner as well as the authorities relied upon by him to show that the suit is maintainable.

6. Registry is directed to return the original plaint filed by the petitioner to enable the petitioner's counsel to re-present the same before the Trial Court along with this order. No costs.

25-06-2026

vga

To
The Principal District Munsif, Perundurai.



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ABDUL QUDDHOSE J.

vga

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