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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

Civil Revision Petition No.6969 of 2026

Case QR

CNR: {HCMA012349152026}

D.Balamurugan
S/o.T.Devarajan

..Petitioner

Vs

D.Arunrajan
S/o.T.Devarajan

..Respondent

Civil Revision Petition filed under Article 227 of the Constitution of India seeking a direction to the learned Principal District and Sessions Judge, Krishnagiri to take on file and number the plaint in O.S.(SR).No.838 of 2025 pending on the file of the learned Principal District and Sessions Judge, Krishnagiri.

For Petitioner : Mr.T Pushkin Rajkumar

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ORDER

This civil revision petition has been filed under Article 227 of the Constitution of India seeking a direction to learned Principal District and Sessions Judge, Krishnagiri, to take the plaint in O.S.(Sr) No.838 of 2025 on file, number the same and proceed further in accordance with law.

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2. Heard learned counsel for petitioner and carefully perused the materials available on record.

3. The petitioner is the plaintiff, who filed the suit seeking for the relief of specific performance and permanent injunction. The plaint was returned by the Court below by pointing out to Article 58 of the Limitation Act and Section 65 of the Prohibition of Benami Property Transactions Act, 1988. The plaint was represented after deleting the declaration prayer and after clarifying the discrepancies. Once again, the plaint was returned by pointing out to Art. 55 of the Limitation Act and the plaint was resubmitted by explaining as to how the suit has been filed within the period of limitation. Once again, the papers have been returned by the Court below on 18.03.2026 and it was again represented on 01.06.2026. The plaint was again returned on 02.06.2026. Aggrieved by the same, the present revision has been filed before this Court.

4. In the considered view of this Court, the Court below ought to have followed the procedure prescribed by this Court in the judgment in ***Selvaraj v. Koodankulam Nuclear Power Plant India Limited*** **[*2021 (3) LW 677*]**, which was subsequently followed in ***The Government of Tamil Nadu v. Ponnusamy*** **[*2026 (2) MLJ 52*]**.

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5. In view of the above, there shall be a direction to the petitioner/plaintiff to represent the papers before the learned Principal District and Sessions Judge, Krishnagiri, within a period of two (2) weeks from the date of receipt of a copy of this order and the Court below shall proceed further with the case in line with the guidelines issued by this Court.

6. This civil revision petition is disposed of in the above terms. No costs.

Registry is directed to return the original papers to the learned counsel for petitioners to represent the same before the Court below.

04-11-2026

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

To
The Principal District and Sessions Judge,
Krishnagiri.

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N.ANAND VENKATESH, J.

gm

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