



WEB COPY

CRP.No.30 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-01-2026

CORAM

THE HONOURABLE MR.JUSTICE S. SOUNTHAR

**CRP No. 30 of 2026 and
CMP No.56 of 2026**

1. N.C.Perumal,
S/o.Chinnappa Gounder,
Door No.90/2, Thoppu Street,
Nangavalli Village and Post,
Mettur Taluk, Salem District.
Now at Door No.17, Seerangavalavu,
Nangavalli Village and Post,
Mettur Taluk, Salem District.

Petitioner(s)

Vs

1. Prabhu, S/o.Late Govindarasu,

2.Malarkodi, W/o.Late Govindarasu,
Respondents 1 and 2 are residing at
Pattalamman Thottam, Periyasoragai
Village, Mettur Taluk, Salem District.

3.Geetha, W/o.Jayamurugan,
D/o.Late Govindarasu,
Door No.9-306/1, Kaspas Kattuvalavu,
Periyasoragai Village, Mettur Taluk,
Salem District.

4.V.Janardhanan,
S/o.Late Venkatarama Chettiar,
Door No.4/72, Attavanai Vanavasai,
Vanavasi Post and Village, Mettur
TaluK, Salem District.

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5.V.Sukumaran,
S/o.Late Venkatarama Chettiar,
Door No.96/43, 45th Ward, Pulikuthi
Main Road, Gugai, Salem -636 006.
Salem District.

6.The Government of Tamil Nadu,
Rep. by Salem District Collector,
Collectorate, Salem -1, Salem District.

7.The Sub Collector,
Sub Collector's Office, Mettur Dam-1,
Salem District.

8.The Tahsildar,
Taluk Office, Mettur Dam-1,
Salem District.

9.The Village Administrative Officer,
O/o.V.A.O., Periyasoragai Village,
Mettur Taluk, Salem District.

10.The Salem District Registrar,
Office of the District Registrar,
Collectorate, Salem -1, Salem District.

11.The Sub Registrar,
Tharamangalam Sub Registrar Office,
Tharamangalam, Salem District.

Respondent(s)

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India praying to strike off the plaint filed in O.S.No.07 of 2025 on the file of the District Munsif Court, Mettur.



For Petitioner(s): Mr. P.Mani
M.Tamil Thendral Arasu

For Respondent(s): Mr.R.Vigneshwaran,
Govt.Advocate for R6 to R11

ORDER

This Civil Revision Petition is filed seeking to strike of the plaint in O.S.No.7 of 2025 on the file of District Munsif, Mettur filed by the respondents 1 to 3/plaintiffs.

2. The respondents 1 to 3 herein, claiming themselves as cultivating tenants of the suit property, filed the above said suit seeking bare injunctions i) against the petitioner and two other private respondents restraining them not to evict them, without due process of law, ii) against the official respondents not to transfer the revenue records in favour of any other person and to register the documents produced by the defendants 1 to 3 with regard to the suit property. According to them the owners of the suit property, namely the defendants 1 and 2 leased out the suit property infavour of their father Govindarasu and he cultivated the suit property as cultivating tenant. After his demise, his legal heirs, namely the respondents 1 to 3 /plaintiffs have been continuing the

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cultivation of the suit property as cultivating tenants. Since the petitioners/defendants 1 to 3 have attempted to interfere with their possession, they laid the suit for permanent injunctions and other incidental reliefs as stated above.

3. The petitioners herein/defendants 1 to 3 claimed that the respondents/plaintiffs did not file any document to show that they were cultivating tenants of the suit property and therefore, the plaint filed by them is liable to be struck off. Whether the respondents/plaintiffs are in lawful possession of the suit property in their capacity as cultivating tenants or in any other capacity is a matter to be decided by the Trial Court, based on the evidence to be let in by the parties. As per the law settled by the Full Bench of this court in ***Periathambi Gounder Vs. The District Revenue Officer, Coimbatore reported in AIR 1980 Madras 180***, a suit for permanent injunction laid by the cultivating tenants is very well maintainable and in such suit, the court can incidentally go into the question of tenancy. In such circumstances, I do not find any reason to strike of the plaint filed by the respondents/plaintiffs.



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4. Accordingly, this civil revision petition is dismissed. However, the dismissal of the civil revision petition will not come in the way of the petitioners to file rejection of plaint, if so advised. There shall be no order as to costs. Connected miscellaneous petition is closed.

08.01.2026

Internet : Yes

Index : Yes / No

Neutral Citation: Yes/No

MST

To

The District Munsif, Mettur.



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S.SOUNTHAR, J.

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