



CRP(MD). No.74 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 12.01.2026

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THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

CRP(MD). No.74 of 2026

and

CMP(MD) No.411 of 2026

Sooravalli Sibbaier Charities
Through its Hereditary Trustee
M.S.Sankaran @ M.S.Sankar

... Petitioner

Vs

Nil

... Respondent

PRAYER :-Civil Revision Petition filed under Article 227 of The Constitution of India, to set aside the return endorsement made in I.A.SR.No.ATN20220022448D202500307 of 2025 in O.S.No.13 of 1932 dated 08-01-2026 on the file of II Additional Subordinate Court, Madurai and direct the Court to number the petition and adjudicate in accordance with law after recalling the case papers from Principal District Court, Madurai.

For Petitioner : Mr.M.Saravanan for
Mr.B.Ramkumar



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ORDER

This Civil Revision Petition has been filed challenging the return made in I.A.SR.No.ATN20220022448D202500307 of 2025 in O.S.No. 13 of 1932 dated 08.01.2026 on the file of the II Additional Subordinate Court, Madurai and for a consequential direction to the above Court to number the petition and adjudicate the same in accordance with law after recalling the case papers from the Principal District Court, Madurai.

2.Perusal of records would reveal that the issue is pending before the Hon'ble Supreme Court in SLP(C) No.17134 of 2025, wherein, an order of *status quo* had already been granted. At this stage, the petitioner themselves had filed the present application, restricting the prayer in respect of five items in the schedule of properties, after deleting the properties, which are the subject matter of the proceedings pending before the Hon'ble Supreme Court and the same had been returned by the trial Court on 12.12.2025 on the following grounds:-

"There is an order to maintain status quo, by the Hon'ble Supreme Court of India. How order can passed this case at present. Further the respondents not ordered to party in this



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petition, the petitioner's counsel have not obtained, any change of vakalath from the original counsel who appear for the petitioner's herein. Hence, returned. Time one month"

3. Thereafter, the petitioner had re-presented the same on 02.01.2026 stating as follows:-

“(i) In respect of the properties of the petitioner trust at S.No.174/1 to an extent of 80 cents and R.S.No.173/1 to an extent of 42 cents, two sets of persons are claiming as cultivating tenants, now, the said matter is pending in SLP. (C).No.17137 of 2025 and an order of status quo was granted on 28.04.2025. Hence, the petitioner has not sought for any permission in respect of the aforesaid S.Nos. and they restrict their relief only in respect of other lands of the Trust.

(ii) Since the relief sought in the above petition is a matter between the petitioner/plaintiff and the Court, and it is not adversarial proceedings. Hence, no person could be arrayed as a respondent.

(iii) No objection from the previous counsel for the petitioner/plaintiff has been duly obtained in vakalath.

Hence, represented.”



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4.The trial Court had once again returned the application on 08.01.2026 on the following grounds:-

"The entire records in O.S.No.13 of 1932 has already been submitted to the Hon'ble District Court Madurai in D.No.70 of 26 dated 06.01.2026. Hence returned" time 30 days."

5.Hence, the present petition.

6.Heard the learned counsel for the petitioner and perused the records.

7.The relief sought for by the petitioner cannot be granted at this stage, since the issue is already pending before the Hon'ble Supreme Court in SLP(C) No.17134 of 2025 and the Hon'ble Supreme Court has already directed the parties to maintain *status quo*. Pending *status quo*, the return was made by the trial Court and as such, this Court does not find any irregularity or infirmity in returning the application. Unless the petitioner gets clarification from the Hon'ble Supreme Court in the above SLP, the relief sought for by the petitioner cannot be entertained.



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8. In fine, the Civil Revision Petition stands dismissed for want of merits. No costs. Consequently, connected Miscellaneous Petition is closed.

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No
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12.01.2026

Note : Registry is directed to return the original documents, if any, after getting necessary acknowledgment from the learned counsel for the petitioner.

To

1. The II Additional Subordinate Judge, Madurai.
2. The Principal District Judge, Madurai.



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N.SENTHILKUMAR, J.

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