



C.R.P.(MD)No.338 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.02.2026

CORAM

THE HONOURABLE MR.JUSTICE N.SENTHILKUMAR

C.R.P.(MD)No.338 of 2026

Madha

... Petitioner

-VS.-

1.The District Collector,
Collector Office,
Thanthonimalai, Karur.

2.The Tahsildar,
Tahsildar Office,
Pugaloor Taluk, Karur District.

...Respondents

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India to set aside the docket order, dated 09.06.2025 passed in Filing No.O.S. 357/2024 on the file of the District Munsif Court, Karur.

For Petitioner :Mr.J.Sathiaraj
For Respondents :Mr.P.Thambi Durai
Government Advocate



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ORDER

The present Civil Revision Petition has been filed challenging the order passed by the learned District Munsif, Karur, in Filing No.O.S.357/2024, dated 09.06.2025.

2.Heard Mr.J.Sathiaraj, learned Counsel for the Revision Petitioner and Mr.P.Thambi Durai, learned Government Advocate for the respondents.

3.The petitioner, as plaintiff, has filed a suit for declaration to declare that the plaintiff is the legal heir of the deceased Sivakumar, who is her husband. However, when the plaint was presented, the trial Court has returned the plaint on the ground that the suit is not maintainable by citing the Government Order in G.O.Ms.478 of 2022, dated 29.09.2022, at pre-numbering stage and directed the petitioner to approach the appropriate forum.

4.It is to be noted that this issue was already settled by the Hon'ble Full Bench of this Court in W.P.No.25247 of 2021 and batch in the case



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P.Venkatachalam vs The Tahsildar, Kumarapalayam Taluk, dated 17.06.2022, wherein, the Hon'ble Full Bench has upheld the G.O.Ms.No.478 of 2022.

5.However, the learned Counsel for the petitioner relied upon a judgment of this Court in C.RP(NPD)No.760 of 2022, dated 760 of 2022, wherein, this Court by relying upon the judgment of this Court in the case of ***Selvaraj and others vs Koodankulam Nuclear Power Plant India Limited and others***, reported in ***2021 (4) CTC 539***, has held that the plaint has to be numbered and thereafter, the trial Court can pass appropriate orders. Hence, the learned Counsel for the petitioner submitted that the plaint cannot be rejected by quoting the Government Order.

6.In concurred with the order passed by this Court in ***2021 (4) CTC 539***, (referred to supra), this Court is also of the view that the merit has to be heard in open Court and if there is no *prima facie* case made out, it is open to the trial Court to pass appropriate orders. Hence, the petitioner is directed to re-present the plaint and the trial Court shall hear the plaintiff in open Court and



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thereafter, shall pass appropriate orders on merits and in accordance with law with regard to the maintainability of the suit or otherwise.

7. With these observations, this Civil Revision Petition is disposed of.

No costs.

8.The Registry is directed to return the original documents, if any, filed by the petitioner to the learned Counsel for the petitioner, after following due procedure.

12.02.2026

Internet	:Yes/No
NCC	:Yes/No
Index	:Yes/No

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To

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- 3.The Tahsildar,
Tahsildar Office,
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N.SENTHILKUMAR, J.

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