



CRP(MD). No.491 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 20.02.2026

CORAM

THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

**CRP(MD). No.491 of 2026
and CMP(MD).No.2164 of 2026**

Selvanesan Gnanadurai

... Petitioner

Vs.

1.Jebarani

2.Aarthi

... Respondents

PRAYER :-Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the fair and decretal order dated 24.10.2025 passed in I.A.No.3 of 2025 in O.S.No.57 of 2024 and consequently, reject the plaint in O.S.No.57 of 2024 pending on the file of the District Munsif, Eraniel, Kanniyakumari District.

For Petitioner : Mr.M.Vadivel

ORDER

This Civil Revision Petition has been filed to set aside the fair and decretal order dated 24.10.2025 passed in I.A.No.3 of 2025 in O.S.No.57 of 2024 and consequently to reject the plaint in O.S.No.57 of 2024 pending on the file of the District Munsif Court, Eraniel, Kanniyakumari District.



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

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3.I.A.No.3 of 2025 has been filed seeking rejection of the plaint in O.S.No.57 of 2024 filed by the first respondent herein and to set aside the sale deed dated 08.01.2024 registered as Document No.137 of 2024. The learned counsel for the revision petitioner submitted that there is no cause of action for filing the suit. Hence, the revision petitioner, filed the above said application. However, the trial Court rejected the application without considering the contention raised by the revision petitioner that the plaint does not disclose any cause of action. It is the duty of the Court to examine the averments made in the plaint. If the plaint discloses a cause of action, it is sufficient for the trial Court to issue summons and proceed further. Aggrieved by the dismissal of the said application, the present civil revision petition has been filed.

4. Whether the sale deed is liable to be set aside or not, is a matter to be considered only after a full-fledged trial. Therefore, the order passed by the trial Court rejecting the application for rejection of plaint does not suffer from any infirmity. Hence, this Court finds no reason to interfere with the said order.

5. Accordingly, this Civil Revision Petition is dismissed. Consequently,



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the connected miscellaneous petition is closed.

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

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To

1.The District Munsif, Eraniel.

2.The Section Officer,
E.R.Section/V.R.Section,
Madurai Bench of Madras High Court, Madurai.



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N.SENTHILKUMAR, J.

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