



CRP(MD). No.601 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 17.02.2026

CORAM

THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

**CRP(MD). No.601 of 2023
and CMP(MD).No.2776 of 2023**

Sudhakar

... Petitioner

Vs.

1.P.Guruswamy

2.The District Collector,
Kanniyakumari District.

3.The Revenue Divisional Officer,
Padmanabhapuram,
Thuckalay,
Kanniyakumari District.

4.The Tahsildar,
Kalkulam Taluk,
Thuckalay,
Kanniyakumari District.

5.The Village Administrative Officer,
Velimalai Village,
Karumparai,
Velimalai Post,
Kalkulam Taluk,
Kanniyakumari District.

6.P.Ramakrishnan

7.R.Sridhar

8.Lekshmi

9.Muthammal



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10.Geethabai

... Respondents

PRAYER :-Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the fair and decretal order dated 11.01.2023, made in I.A.No.1 of 2020 in O.S.No.276 of 2015 on the file of the Additional District Munsif Court, Padmanabhapuram.

For Petitioner : Mr.T.Selvakumaran

For Respondents : Mr.P.Thambi Durai for R2 to R5
Government Advocate

Mr.M.R.Sreenivasan for R1

ORDER

This Civil Revision Petition has been filed to set aside the fair and decretal order dated 11.01.2023 passed in I.A. No. 1 of 2020 in O.S. No. 276 of 2015 on the file of the Additional District Munsif Court, Padmanabhapuram.

2.Heard the learned counsel for the petitioner, the learned counsel for the first respondent, and the learned Government Advocate appearing for respondents 2 to 5.

3.The application in I.A. No. 1 of 2020 was filed by the revision petitioner seeking rejection of the plaint in O.S. No. 276 of 2015. The said application was dismissed by the trial Court. Challenging the same, the present



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Civil Revision Petition has been filed.

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4.The learned counsel for the revision petitioner submitted that the Court below dismissed the application without properly considering the grounds raised for rejection of the plaint. The learned counsel raised several issues relating to title, earlier proceedings, valuation of the suit, alleged suppression of facts, non-joinder and misjoinder of parties, payment of court fee, estoppel, and pendency of earlier proceedings.

5.Per contra, the learned counsel appearing for the respondent submitted that the trial Court has rightly dismissed the application, as the issues raised by the petitioner involve disputed questions of fact, which can be adjudicated only by letting in oral and documentary evidence.

6.This Court, on a perusal of the records, finds that except for the issues relating to limitation and res judicata, all other grounds raised by the petitioner pertain to disputed questions of fact. Such issues cannot be decided at the stage of considering an application for rejection of plaint under Order VII Rule 11 CPC and must be adjudicated only during trial on the basis of evidence.



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7. In such view of the matter, this Court is not inclined to interfere with the order passed by the trial Court.

8. Accordingly, this Civil Revision Petition is dismissed as devoid of merits. No costs. Consequently, the connected miscellaneous petition is closed.

9. Considering that the suit is of the year 2015, the trial Court is directed to dispose of the suit as expeditiously as possible.

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

17.02.2026

TM

To

1. The Additional District Munsif, Padmanabhapuram.

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

4. The Legal Aid Committee,
Madurai Bench of Madras High Court, Madurai.



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N.SENTHILKUMAR, J.

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