



CRP(MD). No.550 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 25.02.2026

CORAM

THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

CRP(MD). No.550 of 2026

Minor Visakan
represented by his natural Guardian Mother
Madhumitha

... Petitioner

Vs.

1.Ponnusamy
2.P.Dineshkumar

... Respondents

PRAYER :-Civil Revision Petition filed under Article 227 of the Constitution of India, to call for the records and set aside the docket order of return of unnumbered OS in F.No.OS/1510/2025 dated 30.01.2026 on the file of the Principal Subordinate Judge, Karur.

For Petitioner : Mr.K.Suresh

ORDER

This civil revision petition has been filed to set aside the docket order of return of unnumbered OS in F.No.OS/1510/2025 dated 30.01.2026 on the file of the Principal Subordinate Judge, Karur.

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



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3.The present Civil Revision Petition arises out of the return made by the Principal District Court, Karur. The revision petitioner had re-presented the papers, and the learned counsel submitted that the original return was made on 16.10.2025.

4.It is the contention of the learned counsel for the petitioner that the representation was made by placing reliance on the judgments of the Hon'ble Supreme Court, wherein the distinction between ancestral property and separate property has been clarified.

5.The learned counsel further submitted that the said issue has been considered in the case of Angadi Chandranna Vs. Shankar and others in Civil Appeal No.5401 of 2025, dated 22.04.2025 (arising out of SLP (C) No.6799 of 2022).

6.However, the trial Court, without taking into consideration the said judgment, returned the papers again on 31.01.2026, raising objections with regard to the claim over separate property and questioning the maintainability of the suit.



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7. In view of the law laid down by the Hon'ble Supreme Court, the return made by the trial Court is unsustainable.

8. Accordingly, the order passed by the trial Court is set aside. The trial Court is directed to hear the revision petitioner and number the plaint within a period of one month from the date of receipt of a copy of this order.

9. The Registry is directed to return the original papers to the learned counsel for the revision petitioner, after substituting the same with proper xerox copies.

10. Hence, this Civil Revision Petition is allowed. No costs.

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

25.02.2026

To

1. The Principal District Judge, Karur.

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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