



CRP(MD). No.148 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 27.01.2026

CORAM

THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

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Prakash

... Petitioner

Vs

1.The Manager
Tata Capitals Limited
Centennial Squares 1st Floor
No.6A, Dr.Ambedkar Salai
Kodambakkam
Chennai 600 024.

2.The Manager
Ponnawalla Fincorp
Unit No.2401, 24th Floor
Altimus, Bhosale Marg
Worali
Mumbai
Maharastra 400 018.

3.The Manager
DMI Finance Private Limited
Express Building
Third Floor, 9-10
Bahadur Shah Zafar Marg
New Delhi 110 002.



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4.The Manager
Epimoney Private limited (Flexi Loans)
7th Floor, South Annexe Tower 2
One world Centre
841, Senapati Bapat Marg
Saitham nagar
Lower Parel
Mumbai 400 013.

5.The Manager
Canara Bank,
Kottanatham Branch
Dindigul District.

6.The Manager
Lendingart Finance Limited
Unit No.PS-40 and PS 41
3rd Floor, Birla Centurion
Pandurang
Budhakar Marg
Worali, Mumbai
Maharashtra 400 030.

7.The Manager
Aditiya Birla Finance Limited
One World Centre
Tower 1
16th Floor, Jupiter Mill Compound
841, Senapati Bapat Marg
Elphinstone Road
Mumbai 400 013.

... Respondents

PRAYER :-Civil Revision Petition filed under Article 227 of the Constitution of India, to direct the learned Principal District Munsif Court, Vedasanthur, to number the plaint in unnumbered OS No. SR 1847 of 2025 on the file of the Learned Principal District Munsif Court,



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Vedasanthur, which is returned by its docket order dated 18.08.2025 by allowing this Civil Revision Petition.

For Petitioner : Mr.M.Vignesh Kumar

ORDER

This Civil Revision Petition has been filed challenging the return order dated 18.08.2025 made in unnumbered O.S.SR.No.1847 of 2025 by the learned Principal District Munsif, Vedasanthur.

2.The petitioner/plaintiff filed a suit in O.S.SR.No.1847 of 2025 before the Principal District Munsif Court, Vedasanthur, for the relief of restraining the defendants, their men and agents not to disturb the plaintiff along with other reliefs. However, the plaint was returned by the trial Court for rectification of certain defects on 18.08.2025 and after carrying out the defects, the petitioner had re-presented the plaint on 11.09.2025. However, the Court below had returned the plaint once again on 12.09.2025 stating that 'previous return holds good. Hence, returned'. Challenging the return, the present Civil Revision Petition has been filed.

3.The learned counsel for the petitioner reiterating all the



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contentions set out in the memorandum of Civil Revision Petition would submit that returning the plaint by the Court below is a ministerial act. He would further submit that if the plaint is not numbered, the petitioner will be put to irreparable loss and hardship. Therefore, he seeks interference of this Court with the order impugned in this Civil Revision Petition.

4. Heard the learned counsel for the petitioner. Since no adverse orders are going to be passed against the respondents, notice to the respondents is dispensed with.

5. It is to be noted that the trial Court has to follow the procedure contemplated under Order VII Rule 11 of CPC, while numbering the plaint. Further, this Court by an order dated 16.07.2021, in C.R.P. (MD) Nos. 915, 943, 967, 991 & 330 of 2020 has also issued directions to the Registry of the trial Court for numbering the plaint strictly in accordance with Order VII Rule 1 of CPC.

6. Admittedly, the petitioner/plaintiff filed O.S. SR. No. 1847 of



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2025 for the relief of restraining the defendants, their men and agents not to disturb the plaintiff along with other reliefs. However, the plaint was returned by the trial Court on various occasions and the same is under challenge herein.

7. On consideration of the submissions made by the learned counsel for the petitioner and on perusal of the materials available on record, this Court finds that the defects pointed out by the trial Court are required to be rectified by the petitioner. It is well settled that when a plaint is returned pointing out certain defects, it is for the party concerned to comply with the returns and re-present the plaint after curing the defects in the manner required by the Court. The responsibility to rectify the defects and re-present the plaint always lies upon the petitioner. In such view of the matter, this Court is of the opinion that the appropriate course would be to permit the petitioner to comply with the returns made by the trial Court and represent the plaint.



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8.In fine, the Civil Revision Petition stands disposed of with a direction to the petitioner to re-present the plaint after rectifying all the defects as sought for by the Court below within a period of two weeks from the date of receipt of a copy of this order and on such re-presentation, the trial Court is directed to consider the same and pass appropriate orders or number the plaint by following the procedure contemplated under the Order VII Rule 11 of CPC and also the judgment rendered by this Court in the Civil Revision Petitions stated supra within a period of one month thereafter. No costs.

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No
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27.01.2026

Note : Registry is directed to return the original papers after getting necessary acknowledgment from the learned counsel for the petitioner.

To

The Principal District Munsif, Vedasanthur.

N.SENTHILKUMAR, J.

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