



C.R.P.(MD)No.3866 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **10.03.2026**

CORAM

THE HONOURABLE **MR.JUSTICE V.LAKSHMINARAYANAN**

C.R.P.(MD)No.3866 of 2025

and

C.M.P.(MD)No.20330 of 2025

1.R.Kalimuthu @ Kannan

2.N.Nithya

3.S.Illavarasi

4.R.Kasinath

... Petitioners

vs.

D.Jeevanandam

... Respondent

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India to allow the Civil Revision Petition and to struck off the plaint in O.S.No.33 of 2024, dated 24.06.2024, on the file of the Hon'ble District Munsif cum Judicial Magistrate Court, Singampunari.

For Petitioners : Mr.M.Rajendran

For Respondent : Mr.K.Sivabalan

ORDER

This Civil Revision Petition has been presented to strike off the plaint in O.S.No.33 of 2024 on the file of the District Munsif cum Judicial Magistrate, Singampunari, Sivagangai District.



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2. The Civil Revision Petitioners are the defendant in the suit. O.S.No.33 of 2024 has been presented by the 1st respondent herein, seeking the relief of permanent injunction restraining the defendants from interfering with the peaceful possession and enjoyment of the suit property or illegally evicting him from the suit property except by due process of law.

3. Heard Mr.M.Rajendran for the petitioner and Mr.K.Sivabalan for the respondent.

4. It is the plea of Mr.Rajendran that it is not the intention of the landlord to forcibly dispossess the tenant from the property. He states that the landlord has filed R.L.T.O.P.No.1 of 2025 on the file of the Rent Court cum District Munsif, Singampunari seeking eviction of the tenant invoking the provisions of TNRRRLT Act of 2017. Hence, he states that O.S.No.33 of 2024 has to be struck off.

5. Mr.K.Sivabalan pleads that the tenant was constrained to move the Munsif Court since he feared forcible dispossession at the hands of the landlord.



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6. I have carefully considered the submissions of both sides and gone through the records.

7. A suit cannot be struck off unless it is so egregious in nature that its continuation on the file of the Court would amount to an abuse of the process of law. A tenant seeking the protection of the Court to continue in possession of the property and avoid forcible dispossession is not one such suit. It has been settled by the Privy Council at least 100 years ago in **Midnapur Zamindary Co. Ltd. v. Naresh Narayan Roy, 1924 20 LW 770 @ 775** that it is the law of this country that no person can take the law into his own hands and dispossess another forcibly. Possession can be taken only in accordance with law. Having said that, the point remains that the landlord has invoked the jurisdiction of the Rent Court seeking eviction of the tenant.

8. Mr.M.Rajendran further states that the landlord will not interfere with the tenant's possession except by obtaining an order of eviction through due process of the Court. The same is recorded.

9. Since the landlord has already filed R.L.T.O.P. No. 1 of 2025, and as the statment of the counsel that the landlord will not forcibly



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dispossess the tenant from the property has been recorded, the learned District Munsif cum Judicial Magistrate, Singampunari, is requested to record same and close the suit. It is open to the parties to litigate on the merits of R.L.T.O.P. No. 1 of 2025, independent of this order.

10. In view of the above, this Civil Revision Petition is **disposed of**. No costs. Consequently, the connected miscellaneous petition is closed.

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

10.03.2026

To:

The District Munsif cum Judicial Magistrate Court,
Singampunari.



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V.LAKSHMINARAYANAN, J.

Nsr

Order made in
C.R.P(MD)No.3866 of 2025

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