



CRP(MD). No.3854 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 18.02.2026

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THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

**CRP(MD). No.3854 of 2025
and CMP(MD).No.20269 of 2025**

Vishai D.Bothra

... Petitioner

Vs.

M/s.Maruthi Polybags Private Limited

Represented by its

Managing Director N.Ranganathan

... Respondent

PRAYER :-Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the fair order and decree made in IA No.3 of 2025 in COS No.19 of 2024 dated 23.10.2025 on the file of the learned Principal Sub Judge, Pudukkottai.

For Petitioner : Mr.S.Senthilnathan

For Respondent : Mr.A.Velankanni

ORDER

This civil revision petition has been filed to set aside the fair order and decree made in IA No.3 of 2025 in COS No.19 of 2024 dated 23.10.2025 on the file of the learned Principal Sub Judge, Pudukkottai.



CRP(MD). No.3854 of 2025

2. Heard the learned counsel on either side and perused the records.

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3. An application has been filed seeking rejection of the plaint. The learned counsel appearing for the revision petitioner contended that the suit has been filed for recovery of a sum of Rs.14,78,595/-. According to the revision petitioner, there was a business transaction between M/s. Virgo Polymer and the defendant during the period from December 2020 to March 2021.

4. It is further contended that, during the said period, the revision petitioner's company received a sum of Rs.16,65,969/- on 01.09.2020 and a sum of Rs. 23,12,626/- on 24.03.2021, totalling Rs.39,78,595/-, towards supply of raw materials. The said amount, however, was paid to M/s. Virgo Polymer. The learned counsel pointed out that this fact has been admitted by the plaintiff in paragraph 3 of the plaint.

5. In view of such admission, the learned counsel contended that the suit for recovery of money from the defendant is not maintainable, as there is no cause of action against the defendant. It is further submitted that there is no material to show that the defendant is liable to pay the said amount, especially when the plaintiff himself admits that the payments were made only to



CRP(MD). No.3854 of 2025

M/s.Virgo Polymer.

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6.The learned counsel also submitted that the respondent/plaintiff has stated that he is residing at Chennai. It is further brought to notice that a separate suit in C.S. No. 83 of 2022 is pending before the Madras High Court for recovery of a sum of Rs.25,00,000/- in respect of transactions involving Vidgo Pharmaceuticals and the defendant.

7.Per contra, the learned counsel for the respondent contended that the revision petitioner had impersonated himself as the Managing Director of Vidgo Pharmaceuticals and had received a sum of Rs.63,97,895/-. In respect of the said amount, the company itself has filed a suit before the Madras High Court in C.S. No. 83 of 2022. For the remaining amount, the present suit has been filed before the Court at Pudukkottai.

8.It is also contended that, though the defendant is a permanent resident of Chennai, the suit has been filed before Pudukkottai without any valid reason, thereby raising issues relating to territorial jurisdiction. Further, it is contended that the plaintiff has not obtained leave as required under Order II Rule 2 of the Code of Civil Procedure.



CRP(MD). No.3854 of 2025

WEB COPY

9.This Court finds that the plaintiff has clearly admitted in paragraph 3 of the plaint that a sum of Rs.39,78,595/- was paid to M/s.Virgo Polymer. In the absence of any material to establish liability on the part of the defendant, no cause of action is made out against the defendant.

10.When there is no cause of action disclosed in the plaint, the suit cannot be permitted to proceed further.

11.Accordingly, this Civil Revision Petition is allowed, and the plaint in O.S. No. 19 of 2024 is hereby rejected. No costs. Consequently, connected miscellaneous petition is closed.

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

18.02.2026

To

- 1.The Principal Subordinate Judge, Pudukkottai.
- 2.The Section Officer,
E.R.Section/V.R.Section,
Madurai Bench of Madras High Court, Madurai.



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CRP(MD). No.3854 of 2025

N.SENTHILKUMAR, J.

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CRP(MD). No.3854 of 2025

18.02.2026