



CRP(MD). No.28 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 09.01.2026

CORAM

THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

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Mathiyalagan

... Petitioner

Vs

1.Jeyakodi

2.Anandayee

3.Alagarsamy

4.Pandiyammal

5.Jeyalakshmi

6.Krishnan

7.Elanjiyam

8.Nithya

9.Jeyaraman

10.Jegathish

11.Mariyayi

1/8



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12.Palaniyammal

13.Peramayee

14.Pitchaimuthu

15.Saroja

16.The District Collector,
Karur District,
Karur.

17.The Revenue Divisional Officer,
Kulithalai Division,
Karur District.

18.The Tahsildar,
Kadavur Taluk,
Karur District.

19.The Village Administrative Officer,
Keelapaguthi Village,
Kadavur Taluk,
Karur District.

... Respondents

PRAYER :-Civil Revision Petition filed under Article 227 of The Constitution of India, to set aside the return order dated 07.11.2025 in unnumbered O.S.SR.No.4380 of 2024 on the file of the learned Principal District Munsif Court, Kulithalai, and to try the suit on file and number the same.

For Petitioner : Mr.S.Gokul Raj

For R16 to R19 : Mr.P.Thambidurai
Government Advocate



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ORDER

This Civil Revision Petition has been filed challenging the return order dated 07.11.2025 made in unnumbered O.S.SR.No.4380 of 2024 by the learned Principal District Munsif, Kulithalai.

2.The petitioner/plaintiff filed a suit in O.S.SR.No.4380 of 2024 to direct the respondents 16 to 19/defendants 16 to 19 to issue the death certificate of the petitioner's grandfather, namely, Raman, S/o.Kamatchi along with other reliefs. The plaint was returned by the trial Court on two occasions for rectification of certain defects. After carrying out the defects, the petitioner re-presented the plaint twice. Subsequently, the Court below had once again returned the plaint on 07.11.2025 stating that as per Doc.No.2, the place of death was not known; to prove the place of death, any document has to be produced and the previous return, dated 08.11.2024 with Sl.No.2, has not been complied with. Challenging the same, the present Civil Revision Petition is filed.

3.The learned counsel for the petitioner reiterating all the contentions set out in the memorandum of Civil Revision Petition would



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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.Mr.P.Thambidurai, learned Government Advocate takes notice for the respondents 16 to 19. Since no adverse order is going to be passed against the respondents 1 to 15, notice to the respondents 1 to 15 is dispensed with.

5.Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents 16 to 19. Records perused.

6.Admittedly, 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



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the Registry of the trial Court for numbering the plaint strictly in accordance with Order VII Rule 1 of CPC.

7.The petitioner/plaintiff filed O.S.SR.No.4380 of 2024 seeking for a direction to the respondents 16 to 19 herein to issue the death certificate of the petitioner's grandfather, namely, Raman, S/o.Kamatchi along with other reliefs. However, the plaint was returned by the trial Court twice. After rectifying the defects, the petitioner re-presented the said plaint. However, for the third time, the Court below has again returned the plaint on 07.11.2025, stating various reasons, mainly on the ground that as per Doc.No.2, the place of death of the petitioner's grandfather was not known.

8.It is to be noted that in the absence of any documents involving all the particulars required, which are to be annexed along with the plaint at the time of numbering the plaint, such a prayer sought for by the petitioner/plaintiff cannot be considered by the trial Court. If such prayer of the petitioner is entertained by this Court, then this Court will be burdened with umpteen number of cases like the case on hand. However,



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considering the limited request made by the petitioner and also considering the hardship that would be caused to the petitioner/plaintiff, in the interest of justice, this Court is inclined to direct the petitioner to re-present the plaint again.

9. Accordingly, the petitioner is directed to re-present the plaint after rectifying all the defects along with requisite documents as sought for by the Court below within a period of two weeks from the date of receipt of a copy of this order, failing which, the suit shall not be numbered. On such re-presentation, the trial Court is directed to 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.

10. This Civil Revision Petition stands disposed of with the aforesaid directions. No costs.

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

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Note :-

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

To

1.The Principal District Munsif, Kulithalai.

2.The District Collector,
Karur District,
Karur.

3.The Revenue Divisional Officer,
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Karur District.

4.The Tahsildar,
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N.SENTHILKUMAR, J.

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