



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-03-2026

WEB COPY

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 1817 of 2026

AND

CMP NO. 8229 OF 2026

1. R.N.Sundararajan
S/o Narayanaswamy, No 5/15, Ashoka
Natesan Mudaliar Street, Kosapet,
Vellore, Vellore Dist.

Petitioner(s)

Vs

1. V.P.Saravanan alias Yegneswaran
S/o V.J.Parthasarathy Mudaliar, Res at
No 4, Ranganayakiammal Street, Servai
Munusamy Street, Velapadi, Vellore 1.

2.P. Vasantha Bai
W/o. Late. V.J. Parthasarathi, Res at No
4, Ranganayakiammal Street, Servai
Munusamy Street, Velapadi, Vellore 1.

3.B. Ramamorthy
S/o. Balakrishna Reddiyar, No.6-B, 8th
Cross St, Gandhi Nagar, Vellore 6

4.V. Ganesh
S/o. R. Venkatesh, No.48, N.No.67,
Contractor Ponnusamy St,
Kosapalayam, Arani, Tiruvannamalai
Dt.

5.R.V. Prakash
S/o. Venkatesan, No.1155-K3, PNMN
Garden, E.B. Nagar, Sevrur Village,
Arani Taluk, Tiruvannamalai Dt.

Respondent(s)



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PRAYER

To set aside the Fair and Decreetal Order passed in IA No.3 of 2025 in OS No.9 of 2023 dated 30.01.2026 on the file of the I Additional District and Sessions Judge at Vellore by allowing the present CRP.

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For Petitioner(s): MR.R.Jayaprakash

For Respondent(s):

ORDER

The petitioner herein/1st defendant along with others defendants 3 & 4 filed IA No.3 of 2025 in OS No.9 of 2023 on the file of the I Additional District and Sessions Judge at Vellore, seeking to reject the plaint. Upon hearing both sides, the Trial Court dismissed the application by holding that general law of limitation involves mixed questions of law and fact, which can be adjudicated only after parties let in evidence. Challenging the same the petitioner filed this Civil Revision Petition.

2. The learned counsel for the petitioner submits that the petitioner is original landlord of respondents against him he initiated RCOP No. 34 of 2009 for eviction and the same was allowed which was also confirmed by the Hon'ble Apex Court. Thereafter, the petitioner initiated E.P No. 20 of 2016 for deliver of possession. On 18.08.2021, possession was taken. Apart from that articles available in premises also removed wherein the respondent was tenant at that time and thereafter the petitioner sold the property to third party. Now,



the 1st and 2nd respondents filed present suit claiming compensation as if the petitioner demolished the articles available in premises, as such is clear abuse of process of law. But without considering the above facts, the Trial Court dismissed the application as such is erroneous and liable to be set aside. Hence, he prays to admit this petition.

3. Admit. Issue notice to the respondent returnable by 29.04.2026. Private notice is also permitted. Post the matter on 29.04.2026, till then, OS No.9 of 2023 pending on the file of the I Additional District and Sessions Judge at Vellore is ordered to be stayed.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

The I Additional District and Sessions Judge at Vellore



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