



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-04-2026

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 2619 of 2026

AND

CMP NO. 11040 OF 2026, CMP NO. 11038 OF 2026, CRP NO. 2621 OF 2026

1. Dhanalakshmi

W/o. V.N. Krishnasamy, D.No.2/199,
Nanjappa Konar Thottam, S.V.Nagar,
Opp EB Colony, Somayampalyam Post,
Coimbatore - 041.

2. K. Srinivasan

S/o. V.N. Krishnasamy, D.No.2/199,
Nanjappa Konar Thottam, S.V.Nagar,
OPP EB Colony, Somayampalyam
Post, Coimbatore - 041.

3. K. Paramasivam

S/o. V.N. Krishnasamy, D.No.2/199,
Nanjappa Konar Thottam, S.V.Nagar,
EB Colony, Somayampalyam Post,
Coimbatore - 041.

4. S. Vijayakumari

W/o. Selvaraju, D.No.32(1) Kambar
Street Kanjikonampalayam, VTC,
Coimbatore South, Vellalore,
Coimbatore - 111.

Petitioner(s)

Vs

1. C.S.Thimmain (Died)

C.S.Rangasamy (Died) 1.R.

Yaminipriyatharshini,

W/o. Thirumoorthi, D/o. C.S.

Rangasamy, D.No.10, Barathi Street,

Pinjai Puliampatti, Erode District - 459.



2.Kalaiiveni

W/o. Rajranka, (D/o.C.S. Rangasamy),
D.No.2/50, Dhasanur, Mahadevapuram,
Mettupalayam - 305.

3.Subbulakshmi

W/o. Late Thimmiyan, D.No.4/190,
Chikkarampalayam Village, Karamadai,
Mettupalayam Taluk, Coimbatore
District - 104.

4.Sumithra Devi

W/o. Chandrakumar, D.No.4/229-E1,
Bajaj Nagar, Chikkaramapalayam
Village, Karamadai, Mettupalayam
Taluk, Coimbatore District - 104.

5.T. Gopalakrishnan

S/o. Late Thimmaiyan, D.No.4/190,
Chikkarampalayam Village, Karamadai,
Mettupalayam Taluk, Coimbatore
District - 104.

Respondent(s)

CRP No. 2621 of 2026

1. Dhanalakshmi

W/o. V.N. Krishnasamy, D.No.2/199,
Nanjappa Konar Thottam, S.V.Nagar,
Opp EB Colony, Somayampalyam Post,
Coimbatore - 041.

2.K. Srinivasan

S/o. V.N. Krishnasamy, D.No.2/199,
Nanjappa Konar Thottam, S.V.Nagar,
OPP EB Colony, Somayampalyam
Post, Coimbatore - 041.

3.K. Paramasivam

S/o. V.N. Krishnasamy, D.No.2/199,
Nanjappa Konar Thottam, S.V.Nagar,
EB Colony, Somayampalyam Post,
Coimbatore - 041.

4.S. Vijayakumari



W/o. Selvaraju, D.No.32(1) Kambar
Street Kanjikonampalayam, VTC,
Coimbatore South, Vellalore,
Coimbatore - 111.

Petitioner(s)

Vs

1. Subbammal

W/o. E. Rangaiyya Gowder,
Maddampalayam, Bilichi Village,
Coimbatore -19. Rangammal (Died)

2.Bujjammal

W/o. Late Rangasamy, D.No.1/112,
Kannarpalayam, Chikkarampalayam
Village, Mettupalayam.

3.Kalarani @ Mani

W/o. Easwaran, No.272/1,
Kannarpalayam, Chikkarampalayam
Village, Karamadai Via. Mettupalayam.

4.Muthuraj

S/o. Late Murugaiyan,
Chikkarampalayam Village,
Mettupalayam Taluk, Coimbatore
District.

5.Thangavel

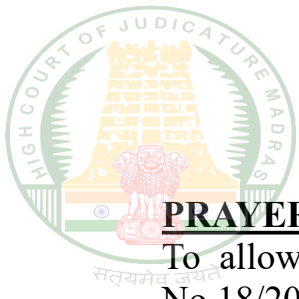
S/o. Late Murugaiyan,
Chikkarampalayam Village,
Mettupalayam Taluk, Coimbatore
District.

Respondent(s)

CRP No. 2619 of 2026

PRAYER

To allow this CRP and set aside the order dated 27.02.2026 made in IA No.14/2026 (Reject the plaint) filed by the Petitioners/Defendants 17-20 in OS No.365/2015 passed by the Honble IV Additional District and Sessions Judge, Coimbatore and pass such further order or other orders that this Honble Court.



CRP No. 2621 of 2026

PRAYER

To allow this CRP and set aside the order dated 27.02.2026 made in IA No.18/2026 (Reject the plaint) filed by the Petitioners/Defendants 17-20 in OS No.104/2011 passed by the Honble IV Additional District and Sessions Judge, Coimbatore and pass such further order or other orders that this Honble Court.

CRP No. 2619 of 2026

For Petitioner(s): MR.D.Manimaran

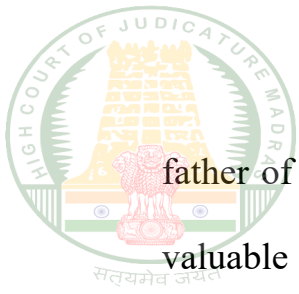
For Respondent(s):

ORDER

CRP No. 2619 of 2026 has been filed seeking to set aside the order dated 27.02.2026 passed in IA No.14/2026 (Reject the plaint) filed by the Petitioners/Defendants 17-20 in OS No.365/2015 by the IV Additional District and Sessions Judge, Coimbatore .

2. CRP No. 2621 of 2026 has been filed seeking to set aside the order dated 27.02.2026 passed in IA No.18/2026 (Reject the plaint) filed by the Petitioners/Defendants 17-20 in OS No.104/2011 by the IV Additional District and Sessions Judge, Coimbatore.

2. The revision petitioners herein filed I.A. No. 14 of 2026 in O.S. No. 365 of 2015 and I.A. No. 18 of 2026 in O.S. No. 104 of 2011 on the file of the IV Additional District and Sessions Judge, Coimbatore seeking to reject the plaint under Order VII Rule 11 of the Code of Civil Procedure (CPC), on the ground that there is no cause of action for the suit. They also contended that the



father of the revision petitioners purchased the suit property on 21.10.2010 for valuable consideration, and in order to avoid the said sale, the plaintiff claimed title over the suit property based on an unregistered document and an oral bequest. It was their grievance that the plaintiff, by colluding with his brothers, came forward with the present suit. In fact, it was also contended that the court fee paid by the plaintiff is not correct, and on that ground, the petitioners wanted to reject the plaint.

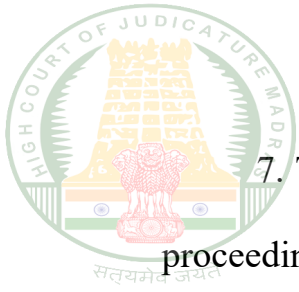
3. On hearing both sides, the Trial Court dismissed the applications stating that the case is posted for arguments and at this stage, the petitioners filed these applications only to drag on the proceedings. Accordingly, the applications were dismissed. Aggrieved over the same, the petitioners have filed these Revision petitions.

4. The learned counsel for the petitioners submits that the father of the revision petitioners purchased the suit property on 21.10.2010 for valid consideration, and the respondents were very well aware of the said sale transaction. Now, by colluding with the other defendant, they filed the suit for unlawful gain, and there is no cause of action for the suit. He further submits that after entering into the sale transaction, the revision petitioners are entitled to raise such an objection. Therefore, the plaint should have been rejected by the Trial Court, but it failed to exercise its jurisdiction. Hence, he prays to allow the petitions.



5. Considering the facts and circumstances of the case and on a perusal of the records, it is revealed that the suit was filed in the year 2011 by the plaintiffs seeking the relief of partition along with consequential reliefs, as well as a declaration in respect of the sale deed dated 21.10.2010, which stands in the name of the 12th defendant, who is the father of the revision petitioners.

6. The records reveal that both parties have already adduced their oral and documentary evidence before the Trial Court. At this final stage, when the matter was posted for arguments, the revision petitioners came forward with these applications to reject the plaint. It is settled law that while deciding an application under Order VII Rule 11 CPC, the Trial Court should decide by relying strictly on the plaint averments and not the defense raised. In the case in hand, the plaintiffs came forward with the relief of partition and challenged the alleged sale deed standing in the name of the 12th defendant, stating that in spite of objections, the 12th defendant purchased the property, further complaining that the purchaser is not a bona fide purchaser. A plain reading of the records reflects that before the purchase was made by the 12th defendant, a paper publication was issued on 13.09.2010, giving notice. In spite of that, the 12th defendant purchased the property with full knowledge of the family disputes. If at all there is any collusiveness among the plaintiffs and the other legal heirs, the legal heirs of the 12th defendant are bound to prove the same during full-fledged trial arguments, and not through these applications filed to reject the plaint at the final stage of the suit.



7. Therefore, the Trial Court has rightly held that in order to drag on the proceedings at the stage of arguments, the petitioners filed these petitions. This

Court finds no irregularity or infirmity in the order passed by the Trial Court.

However, in order to give a fair opportunity to the revision petitioners to defend their claims, liberty is granted to the petitioners to take all defenses before the Trial Court during the final arguments.

8. Without being influenced by any of the observations made by this Court or the Trial Court, the Trial Court is directed to proceed with the final arguments and dispose of the suits on merits and in accordance with law. It is also noted that the petitioners are in possession of the property based on their sale deed.

9. In the result, these Civil Revision Petitions are dismissed. No costs. Consequently, connected miscellaneous petitions are closed

30-04-2026

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The IV Additional District and Sessions Judge, Coimbatore.

2. The Section officer, V. R Section, High Court, Madras.



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CRP No. 2619 of 2026



T.V.THAMILSELVI J.
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AND CMP NO. 11040
OF 2026, CMP NO.
11038 OF 2026, CRP NO.
2621 OF 2026**

30-04-2026