



C.R.P.No.5940 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.11.2025

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

C.R.P.No. 5940 of 2025

and

C.M.P.No. 29300 of 2025

1. Anbukarasan
 2. Thenmozhi
- ... Petitioners

Vs.

1. A.Chandira
 2. The Sub Registrar,
Athur.
 3. The District Collector,
Salem District.
- ... Respondents

PRAYER: Civil Revision Petition filed Article 227 of Constitution of India, to strike off the suit filed in O.S.No.77 of 2025 on the file of the Sub Judge, Athur and to allow this Civil Revision Petition.



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For Petitioners : Mr.B.Mohan

For Respondents : Mr.R.Vigneswaran
Government Advocate for R2 and R3



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ORDER

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The Civil Revision Petition has been filed seeking to strike off the
plaint in O.S.No.7 of 2025 on the file of the Sub Court, Attur, which was
instituted by the first respondent seeking maintenance and also charge
over the suit property.

2. The learned counsel appearing for the petitioners would submit
that the cause of action pleaded in the plaint is illusory and that no proper
cause of action has been made out to sustain the suit. If the petitioners
feels that the suit has been filed based on the illusory cause of action, it is
always open to them to file an application under Order VII Rule 11 of
C.P.C. before the Court concerned seeking rejection of the plaint.

3. As per the law laid down by the Hon'ble Apex Court in the case
of *Virudhunagar Nadargal Dharma Paripalana Shabha Vs Tuticorin
Educational Society reported in MANU/SC/1365/2019*, when the



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petitioner got an effective remedy before the Trial Court, this Court is not

WEB COPY inclined to exercise supervisory jurisdiction.

4. Accordingly, this Civil Revision Petition is dismissed.

Consequently, connected miscellaneous petition is closed. There shall be no order as to costs. However, the petitioners are at liberty to file an application seeking rejection of the plaint before the trial Court.

26.11.2025

Index:Yes/No

Speaking order/Non-speaking order

Neutral Citation:Yes/No

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To

1. The Sub Court,
Attur.
2. The Sub Registrar,
Athur.

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3. The District Collector,
Salem District.

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S.SOUNTHAR, J.

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