

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-08-2026

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

CRP No. 2294 of 2026

1. Meenambal
2. Sooriyaprakasam
3. Ramachandran
4. Shanmugam
5. Senthamizhselvi

Petitioner(s)

Vs

Balaiya

Respondent(s)

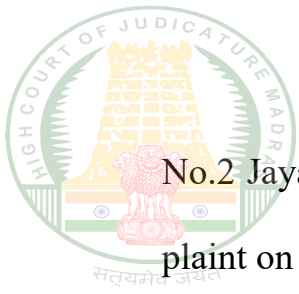
PRAYER Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the Judgement and Decreetal order dated 17.06.2025 made in IA No.4 of 2024 in OS No.133 of 2024 on the file of Special Court No.2 Jayankondam, Ariyalur District.

For Petitioner(s): Mr.S.Senthilnathan

For Respondent(s): Mr.R.Silambarasan

ORDER

This Civil Revision Petition has been filed under Article 227 of the Constitution of India, challenging the fair and decreetal order dated 17.06.2025 made in IA No.4 of 2024 in OS No.133 of 2024 on the file of Special Court



No.2 Jayankondam, Ariyalur District, wherein the Court below has rejected the
plaint on the ground that the suit itself is barred by *res judicata*.

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2.Heard the learned counsel for the petitioners and the learned counsel appearing on behalf of the respondent and carefully perused the materials available on record and this Court also carefully went through the order passed by the Court below.

3.The learned counsel for the petitioners submitted that the order passed by the Court below, on the face of it, is unsustainable and substantiate the same, the learned counsel relied upon the judgement of the Apex Court in ***Pandurangan vs. T.Jayrama Chettiar and Another*** in Civil Appeal No.7743 of 2025, dated 14.07.2025.

4.In the considered view of this Court, even though the order has been passed by the Court below in an application filed under Section 11 of C.P.C., the effect of the order is the one of rejection of plaint under Order VII Rule 11 (d) of C.P.C. Such an order passed is considered to be a decree under Section 2(2) of C.P.C. Against the same, only regular appeal will lie.

5.In view of the above, this Court holds that the present Civil Revision Petition cannot be maintained and liberty is granted to the petitioners to file a



regular appeal before the concerned Court and workout their remedy in the manner known to law. Since the petitioners have been prosecuting the Civil Revision Petition, this Court is inclined to invoke Section 14 of the Limitation Act and permit the petitioners to file the appeal before the concerned Court on or before 07.09.2026. If the appeal is filed before the concerned Court by the time fixed by this Court, the concerned Court shall deal with the main appeal after affording an opportunity to the respondent, on its own merits and in accordance with law and dispose of the appeal as expeditiously as possible.

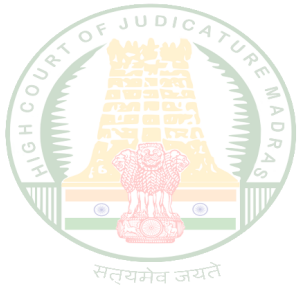
6. In the result, this Civil Revision Petition stands disposed of in the above terms. No Costs.

7. The Registry is directed to return back the original order to the learned counsel for the petitioners in order to enable the petitioners to workout their remedy.

21-08-2026

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No
ssr

Note: Issue Order Copy on 25.08.2026



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N.ANAND VENKATESH J.

SSI

To

The Special Court No.2 Jayankondam, Ariyalur District.

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