



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-01-2026

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CORAM

THE HON'BLE MR.JUSTICE S. SOUNTHAR

CRP No. 234 of 2026 and

CMP No.1045 of 2026

S.Selvi alias Sharon, W/o.Srinivasan,
D/o.Elumalai, No.4/92/62A,
Mangaliamman Koil St,
St.Patrick Church 3rd Lane,
Butt Road, St.Thomas Mount,
Chennai 16.

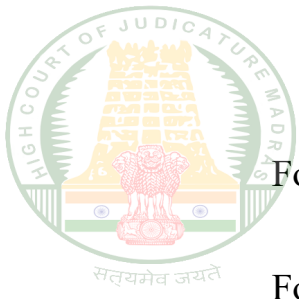
..Petitioner(s)

Vs

1. E.Janakiraman,S/o.Elumalai,
No.4/92/62, Managaliannan Koil St,
St.Patrick Church 3rd Lane,
Butt Road, St.Thomas Mount, Chennai 16.
2. The Joint Sub Registrar-II
Saidapet, Chennai 15.
3. M/s Diocese of Chengalpattu
of Roman Catholic Churches,
Rep. by Property Administrator,
Bishops House, Thimmavaram, Chengalpattu.

..Respondent(s)

Prayer: Civil Revision Petition filed under Article 227 of Constitution of India to allow the CRP by setting aside the fair order dated 26.11.2025 in I.A.No.2/2025 in O.S.No. 30/2020 on the file of Additional District Munsif Court, Alandur and consequently reject the plaint in O.S No.30/2020.



For Petitioner(s): Mr. T.Ramachandran

For Respondent(s): Mr.N.Muthuvel, Government Advocate
for R2

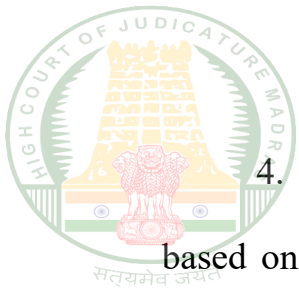
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ORDER

This Civil Revision Petition is filed challenging the order passed by the Trial Court, dismissing the application filed by the petitioner seeking to reject the plaint.

2. The first respondent/plaintiff filed a suit in O.S.No.30 of 2000 seeking declaration that the settlement deed dated 09.12.2004 executed in favour of the petitioner/first defendant was null and void and for consequential injunction restraining the petitioner from interfering with his possession over the suit property.

3. It is the case of the petitioner/first defendant that she filed a suit in O.S.No.495 of 2014 for recovery of possession based on the said settlement deed on the file of District Munsif, Alandur and the present plaintiff acquired knowledge about settlement deed on service of summons on him. The learned counsel for the petitioner vehemently contends that the first respondent/plaintiff, who acquired knowledge about the impugned settlement deed as early as in the year 2014, filed the present suit only in the year 2019, challenging the said settlement deed and therefore, the main prayer in the suit is barred by limitation.



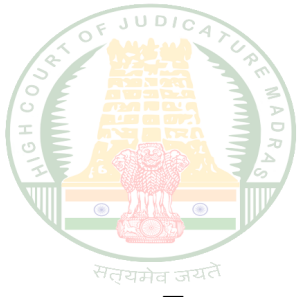
4. Though the petitioner said to have been filed the suit for possession based on the impugned settlement deed in the year 2014, there is nothing on record to suggest the date of service of summons in O.S.No.495 of 2014 on the defendant therein, namely the first respondent/plaintiff in the present suit. It is settled law that while considering the petition seeking rejection of plaint, the court is guided by the averments in the plaint and plaint documents. In the plaint, it was averred by the first respondent/plaintiff that she acquired knowledge about the impugned settlement deed only in the year 2019. Therefore, on the basis of the averments contained in the plaint, the suit appear to be within limitation. The Trial Court rightly appreciated the said position and dismissed the petition for rejection of plaint. I do not find any error in the impugned order passed by the Trial Court.

5. Accordingly, this civil revision petition is dismissed. The dismissal of the civil revision petition will not deter the petitioner from leading evidence to support his case that the plaintiff acquired knowledge about the settlement deed long back and hence filing of the suit in the year 2019 was barred by limitation. There shall be no order as to costs. Connected miscellaneous petition is closed.

21-01-2026

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

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To

The Additional District Munsif, Alandur.



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S.SOUNTHAR, J.

MST

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