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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.02.2026

THE HONOURABLE MR.JUSTICE N.SENTHILKUMAR

C.R.P(MD)No.3854 of 2025
and
C.M.P.(MD)No.20269 of 2025

Vishal D.Bothra

... Petitioner

vs.

M.s.Maruthai Polybags Private Limited,
represented by its Managing Director,
N.Ranganathan,
No,10C & 11C, SIPCOT Complex,
Pudukkottai – 622 002.

... Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the fair and decree made in I.A.No.3 of 2025 in C.O.S.No.19 of 2014, dated 23.10.2025 on the file of the Principal Subordinate Court, Pudukottai.

For Petitioner :Mr.S.Senthilnathan
For Respondent :Ms.S.Bhuvaneswari
for Mr.A.Velankanni



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ORDER

The present Civil Revision Petition has been filed to set aside the fair and decree made in I.A.No.3 of 2025 in C.O.S.No.19 of 2014, dated 23.10.2025 on the file of the Principal Subordinate Court, Pudukottai.

2.Mr.S.Senthil Nathan, learned Counsel for the revision petitioner primarily submitted that the institution of suit is barred under Order II Rule 2 CPC, when the suit was instituted by the plaintiff for the part cause of action. A suit was filed in C.S.No.83 of 2022 before the Principal Bench of this Court for recovery of a sum of Rs.25 lakhs, whereas, the present suit is filed for recovery of money for a sum of Rs.14 lakhs. He also submitted that when a suit was already filed, for the same cause of action, there cannot be a two suits, unless, there is a leave granted from the first Court, namely, this Court, where, C.S.No.83 of 2022 is filed. In the absence of any such leave obtained by the respondent herein, he cannot file another suit.

3.The second contention is that there is a violation of Order II Rule 3 CPC, which speaks about the bundle of cause of action. When bundle of cause



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of action is raised, then all these facts has to be narrated in one single plaint and after narrating the said facts, the leave has to be obtained. In the present case, the respondent has not stated anything about the same.

4.The third ground is with regard to the cause of action, which according to Mr.Senthilnathan, a portion of cause of action has been taken at Chennai and a portion of cause of action has been taken at Pudukottai. It is his submission that the revision petitioner has filed a criminal case, in which, he has deposed that the cause of action is only at Chennai and which according to him, the promissory note was executed at Chennai, therefore, invoking the jurisdiction at Pudukottai to institute the suit is not only vexatious but also, to intimidate the revision petitioner and filing of the suit is only an abuse of process of law.

5.Ms.Bhuvaneshwari, learned Counsel for the respondent seeks time, as she has received the papers only today.



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N.SENTHILKUMAR, J.

cmr

6.Post the matter on 18.02.2026.

09.02.2026

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To

The Principal Subordinate Judge, Pudukottai.

C.R.P(MD)No.3854 of 2025