



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 22.09.2025

WEB COPY

CORAM

THE HONOURABLE MR JUSTICE P.B. BALAJI

CRP.No.1418 of 2015

and MP.No.1 of 2015

Pavunambal
W/o.Govinda Pillai

... Petitioner

Vs.

- 1.Minor Elumalai
S/o.Govinda Pillai
represented by his natural guardian and next friend Nagalakshmi
2. Nagalakshmi
- 3.Krishnapillai (since deceased)
- 4.Kathai ammal
- 5.Lakshmi
- 6.Alamelu
- 7.Janaki
- 8.Panchali ammal
- 9.Raghava gounder
- 10.Sakkarapani gounder
- 11.Veerappa gounder (since deceased)
- 12.Rathinasamy



13.Palani gounder

14.Samikannu (since deceased)

15.Jayaraman (since deceased)

16.Devaraj

17.Anjalai

18.Ramar

19.Lakshmanan

20.Murugan

21.Seetha

... Respondents

PRAYER: Civil Revision Petition filed under Section 115 of Civil Procedure Code, to set aside the fair and decreetal order dated 01.09.2014 made in I.A.No.722 of 2011 in O.S.No.782 of 1984 on the file of the Principal District Munsif, Ulundurpet.

For Petitioner : Mr.C.Munuswamy
For R1 and R2 : Mr.K.Venkatasubban
for M/s.Sarvabhauman Associates

For R8,9,12,13,16,18 : No appearance

For R3 to R7, 10,11,
14,15,17,19,20, 21 : Dismissed vide Court
order dated 10.02.2023

ORDER



WEB COPY

This civil revision petition has been filed to set aside the fair and decretal order dated 01.09.2014 made in I.A.No.722 of 2011 in O.S.No.782 of 1984 on the file of the Principal District Munsif, Ulundurpet.

2. Heard Mr.C.Munuswamy, learned counsel for the petitioner and Mr.K.Venkatasubban learned counsel for the respondents for M/s.Sarvabhauman associates for contesting respondents 1 and 2.

3. Mr.C.Munuswamy, learned counsel for the revision petitioner would state that the petitioner sought for impleading herself in the final decree and the trial court on an erroneous consideration of the facts has proceeded to dismiss the application merely on the ground that the suit has been dismissed in the year 1984, without testing whether the petitioner is proper and necessary party to the revision. He would therefore prayed for the revision being allowed.

4. Per contra, the learned counsel appearing for the respondents 1 and



WEB COPY

2 would state that the suit was filed way back in the year 1984 and preliminary decree was passed on 13.03.1991 and the final decree application has also been taken out and the same is pending enquiry. At that stage, the revision petitioner sought to implead herself claiming to be the wife of Govinda Pillai/first defendant. He would further invite my attention that the very same issue having already been gone into by the trial Court even before passing the preliminary decree where similar contention was raised by the revision petitioner, the same had been rejected by the trial Court. He would therefore state that it is not open to the petitioner to seek impleadment in the final decree proceedings after having failed in her earlier attempt to get herself impleaded, even pending the preliminary proceedings. He would therefore prayed for dismissal of the revision.

5. I have carefully considered the submissions advanced by the learned counsel on either side.

6. I have also gone through the order of the trial Court dismissing the application for impleadment. As rightly contended by Mr.K.Venkatasubban, learned counsel appearing for respondents 1 and 2, the trial Court has gone



WEB COPY

into the question as to whether the petitioner is a proper and necessary party and in such process has discussed in detail as to the earlier attempt to get herself impleaded even before the preliminary decree was passed and the said request had been rejected, the same has become final.

7. Therefore, it is not open to the petitioner to thereafter, once again seek to implead herself at the final decree stage.

8. I do not find any error committed by the trial Court dismissing the application warranting interference by this court. Accordingly, this Civil Revision Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

22.09.2025

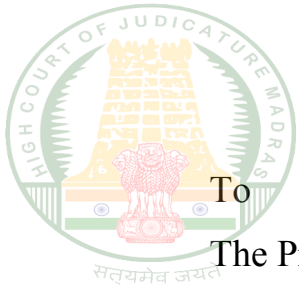
Speaking/Non-speaking : Yes/No

Index : Yes / No

mpa

P.B. BALAJI,J.

Mpa



To

The Principal District Munsif Court, Ulundurpet.

WEB COPY

CRP.No.1418 of 2015
and MP.No.1 of 2015

22.09.2025