



C.R.P. No. 724 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.07.2026

CORAM

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

C.R.P. No. 724 of 2025

&

C.M.P. No. 4134 of 2025

Tamilselvi

..Petitioner

Vs.

1. Tamilselvam
2. Nandhakumar

..Respondents

[[[[Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the fair and decretal order dated 10.01.2024 passed in I.A. No. 3 of 2023 in O.S. No. 237 of 2022 by the District Munsif Court, Sirkazhi.

For Petitioner :: Mr.R. Kuyilan

For Respondents :: Mr.K. Govi Ganesan for R1



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ORDER

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This civil revision petition has been filed challenging the impugned order dated 10.01.2024 passed in I.A. No. 3 of 2023 in O.S. No. 237 of 2022 by the learned District Munsif, Sirkazhi.

2. By the aforesaid order, the application filed by the petitioner seeking to implead herself as a party defendant to the suit in O.S. No. 237 of 2022 on the file of District Munsif Court, Sirkazhi, has been dismissed on the ground that the petitioner has already filed a suit against the 1st respondent/plaintiff in O.S. No. 12 of 2023 seeking to protect her rights over the property, which is still pending and therefore, she is an unnecessary party to the suit in O.S.No. 237 of 2022 filed by the 1st respondent/plaintiff.

3. The petitioner claims that by virtue of a Vardamana document (unregistered document), she became the owner of the suit schedule property and therefore, she is entitled to be impleaded in the suit in O.S. No. 237 of 2022 filed by the 1st respondent/plaintiff. According to the petitioner, behind her back and without her knowledge, the 1st respondent/plaintiff filed the suit in O.S. No. 237 of 2022 and therefore, she has to be impleaded as a party defendant in the said suit.



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4. On the other hand, learned counsel for the 1st respondent/plaintiff submitted that based on a release deed (registered document), the 1st respondent/plaintiff claims ownership over the suit schedule property and according to him, all the revenue records have been mutated in the name of the 1st respondent/plaintiff and therefore, the learned counsel would submit that the petitioner is an unnecessary party to the suit in O.S. No. 237 of 2022.

5. The Trial Court, by the impugned order, has rejected the petitioner's application filed in I.A. No. 3 of 2023 by refusing to permit the petitioner to be impleaded as a party defendant to the suit in O.S. No. 237 of 2022. The 1st respondent/plaintiff filed the suit for permanent injunction restraining the defendant/2nd respondent herein from interfering with his peaceful possession and enjoyment of the suit schedule property. The 1st respondent/plaintiff has claimed ownership over the suit schedule property by virtue of a registered release deed and also claims that all the revenue records pertaining to the suit property stand in his name. On the other hand, the petitioner claims ownership over the suit property by virtue of a



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Vardamana document (unregistered document) executed in the year 1998 by the 1st respondent/plaintiff's father. The 1st respondent/plaintiff has also disputed the said document in the counter filed by him in I.A. No. 3 of 2023. The Trial Court, while dismissing the application filed by the petitioner, has also taken into consideration the fact that the petitioner has already filed a civil suit in O.S. No. 12 of 2023 in respect of the very same suit schedule property seeking permanent injunction before the very same Court. The said suit is still pending and therefore, the petitioner is not a necessary party for the effective adjudication of O.S. No. 237 of 2022 filed by the 1st respondent/plaintiff before the District Munsif Court, Sirkazhi.

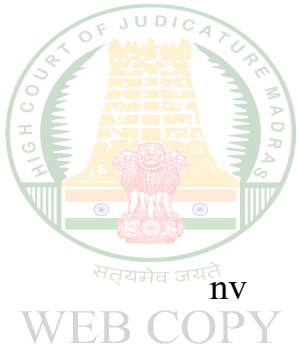
6. The 1st respondent/plaintiff claims ownership over the suit schedule property through a registered document and also claims possession of the property with the aid of revenue records standing in his name whereas the petitioner claims ownership over the suit schedule property by virtue of an unregistered document said to have been executed in the year 1998. Further, the petitioner has also filed a civil suit for permanent injunction in O.S. No. 12 of 2023, which is still pending and therefore, the reasoning given by the Trial Court for dismissing the



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petitioner's application seeking to implead herself as a party defendant to the suit in O.S. No. 237 of 2022 is justifiable. It is also to be noted that the application namely, I.A. No. 3 of 2023 was filed by the petitioner after the suit was posted for ex parte evidence after the defendant/2nd respondent herein was set ex parte. When the petitioner's right has been adequately protected through the civil suit filed by her separately and when the petitioner claims ownership over the suit schedule property by virtue of an unregistered document whereas the 1st respondent/plaintiff claims ownership through a registered document in the form of a release deed, the question of permitting the petitioner to implead herself as a party defendant to the suit in O.S. No. 237 of 2022 does not arise. The Trial Court, by the impugned order, has rightly refused to entertain the petitioner's application seeking to implead herself as a party defendant to the suit in O.S. No. 237 of 2022.

7. This Court does not find any infirmity in the impugned order dated 10.01.2024 passed in I.A. No. 3 of 2023 in O.S. No. 237 of 2022 by the learned District Munsif, Sirkazhi and the civil revision petition stands dismissed. The interim order granted by this Court stands vacated. No costs. Connected C.M.P. is closed.



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ABDUL QUDDHOSE,J.

nv

To

The District Munsif Court, Sirkazhi.

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