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CRP.No.3...

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-03-2026

CORAM

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 3339 of 2025 & CMP.No.18394 of 2025

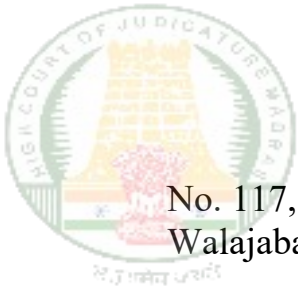
S.Gopal

S/o. Sadasivam, No. 7/57, Nadu Street,
Ayyampettai Village, Walajabad Taluk,
Kancheepuram Dist.

..Petitioner(s)

Vs

1. Sundara Vadivel
S/o. K.Seeyala Mudaliar,
No. 156, Nadu Street, Ayyampettai Village,
Walajabad Taluk, Kancheepuram Dist.
2. L.Nagalingam
S/o. S.Logaperumal No. 109, Nadu Street,
Ayyampettai Village, Walajabad Taluk,
Kancheepuram Dist.
3. A.Kannivel
S/o. Annamalai Mudaliar
No. 33, Nadu Street, Ayyampettai Village,
Walajabad Taluk, Kancheepuram Dist.
4. M.Kumaresan
S/o. Muniappan
No. 69, Nadu Street, Ayyampettai Village,
Walajabad Taluk, Kancheepuram Dist.
5. A.Olinthan
S/o. Annamalai



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No. 117, Nadu Street, Ayyampettai Village,
Walajabad Taluk, Kancheepuram Dist.

6. J.Kamatchi Khan

S/o. Jayaraman

No. 82/7, Nadu Street, Ayyampettai Village,
Walajabad Taluk, Kancheepuram Dist.

7. S.Viswanathan

S/o. Subramani No. 126, Nadu Street,
Ayyampettai Village, Walajabad Taluk,
Kancheepuram Dist.

8. S.Stalin

S/o. R.Saravanan

No. 123 Nadu Street, Ayyampettai Village,
Walajabad Taluk, Kancheepuram Dist.

9. R.Boopalan

S/o. Rangasamy

No. 11/7, Nadu Street, Ayyampettai Village,
Walajabad Taluk, Kancheepuram Dist.

10.R. Dhanamuthu

S/o. Rangasamy

No. 77/7, Nadu Street, Ayyampettai Village,
Walajabad Taluk, Kancheepuram Dist.

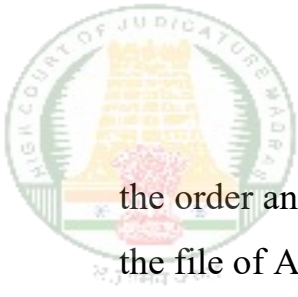
11.B.Gopi

S/o. Balasundaram, No. 146,

Nadu Street, Ayyampettai Village, Walajabad
Taluk, Kancheepuram Dist.

..Respondent(s)

Prayer : Civil Revision Petition filed under Article 227 of Constitution of India to allow this revision on the above and other grounds urged at the time of arguments and set aside



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the order and decretal order dated 05.10.2023 in I.A. No. 2/2023 in OS No. 202/2023 on the file of Additional District Court, (FTC) Kanchipuram.

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For Petitioner(s): Ms.S.Thamizharasi

For Respondent(s): Mr.P.Dinesh Kumar – R1 & R2

ORDER

Challenging the impugned Order passed by the trial Court in I.A.No.2 of 2023 in O.S.No.202 of 2023 dated 05.10.2023, the present revision has been preferred by the second defendant.

2. The plaintiffs had filed the suit for declaration to declare the impugned Trust Deed dated 11.03.2022 executed by the defendants in respect of suit properties are null and void and not binding upon the plaintiffs and consequential injunctions. Pending suit, the plaintiffs have filed an application under Order I Rule 8 and Section 151 of Code of Civil Procedure to grant leave to the plaintiffs to file the suit in a representative capacity. The said application was objected by the respondents/defendants stating that the first petitioner is the President of the Trust and he has not acted upon the gramanis in the community properties as well as welfare for the community people and the second



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petitioner is not a gramani and the plaintiffs have not acted upon gramni as per the resolution dated 04.12.2022 and hence, they have no locus standi to file the suit in a representative capacity. Considering the submissions on either side, the trial Court has allowed the application. Aggrieved over the same, the present revision has been preferred by the second defendant.

3. The learned counsel appearing for the petitioner pointed out that the first petitioner is a gramani and the second respondent is also a gramani and as the dispute is between the rival post holders, the plaintiffs have no locus standi to file the suit in a representative capacity so also the first plaintiff has no locus standi to file the suit and hence, he seeks to set aside the Order passed by the trial Court.

4. The learned counsel appearing for the first respondent would contend that the first plaintiff is a gramani and the second plaintiff is also gramani and hence, they are entitled to file the suit in a representative capacity.

5. It is contention of the plaintiffs that since the first plaintiff is a gramani, he is entitled to file a suit in a representative capacity. As per the objections raised by the revision petitioner, as the first plaintiff has not acted upon gramani as per the resolution dated



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14.12.2022, and the plaintiffs are not the representatives of the 60 permanent residents of Nadu street, they are not entitled to file the suit in a representative capacity. Further, it appears that there is a dispute with regard to formation of the trust and the resolution dated 14.12.2022 with regard to newly acted gramanies. All these facts have to be decided only at the time of trial. Hence, this Court is of the view that the trial Court has rightly allowed the application which requires no interference.

6. Accordingly, this Civil Revision Petition is dismissed. No costs. consequently, connected miscellaneous petition is closed.

11.03.2026

vrc

To

The Additional District Judge,
ADC, [FTC], Kanchipuram.

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T.V.THAMILSELVI, J.

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