



WEB COPY

CRP No. 3424 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-07-2026

CORAM

THE HON'BLE MR JUSTICE ABDUL QUDDHOSE

**CRP No. 3424 of 2025 and
CMP.No.18692 of 2025**

1. Subramanian
S/o. Late.Ponnusamy Padayachi, Athanur
Village, Athanur Taluk, Perambalur District.
2. Pandiyan
S/o. Subramanian
Athanur Village, Athanur Taluk,
Perambalur District.
3. Paramasivam
S/o. Subramanian
Athanur Village, Athanur Taluk,
Perambalur District.
4. Ponnusamy
S/o. Subramanian
Athanur Village, Athanur Taluk,
Perambalur District.

..Petitioner(s)

Vs

1. Periyasamy
S/o. Ramasamy Padayachi
2. Radha
S/o. Ramasamy Padayachi
3. Sellamuthu
S/o. Ramasamy Padayachi
4. Krishnasamy
S/o. Ramasamy Padayachi



..Respondent(s)

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Civil Revision Petition filed under Article 227 of Constitution of India to set aside the Fair and Decreetal order dated 19.06.2025 passed in I.A No. 4 of 2024 in OS No. 256 of 2016, on the file of the Additional District Munsif, Perambalur.

For Petitioner(s): Ms.Usha Ramman

For Respondent(s): Mr.A.S.Bhuvaneswaran
For R3 & R4
No appearance (R1 and R2)

ORDER

This Civil Revision Petition has been filed challenging the impugned order dated 19.06.2025 passed by the learned Additional District Munsif, Perambalur in I.A.No.4 of 2024, in O.S.No.256 of 2016.

2. In the aforesaid order, the application filed by the 1st petitioner/plaintiff seeking to implead Pandiyan, Paramasivam and Ponnusamy as the plaintiffs 2 to 4 in O.S.No.256 of 2016 has been dismissed.

3. The Trial Court dismissed the application on the ground that the 1st petitioner/plaintiff having got knowledge about the execution of the settlement deeds in favour of Pandiyan, Paramasivam and Ponnusamy, even prior to the filing of the suit, cannot be allowed to implead them as plaintiffs 2 to 4 in the suit, when the cause of action in the suit was different as the 1st



petitioner/plaintiff had pleaded that they are in possession of the suit schedule property. The Trial Court had also dismissed the petitioner's application on the ground that ignorance of law is not an excuse.

4. The contention of the 1st petitioner before the Trial Court is that due to miscommunication and lack of knowledge about the necessity to provide information to the petitioner's counsel about the execution of the settlement deeds, which was pending registration, the suit was filed.

5. This Court does not find any infirmity in the reasons given by the Trial Court for dismissing the petitioner's application in I.A.No.4 of 2024. The alleged settlees under the Settlement Deeds said to have been executed by the 1st petitioner/plaintiff viz., Pandian, Paramasivam and Ponnusamy have also not chosen to file any application before the Trial Court to support the case of the 1st petitioner/plaintiff and seek impleadment as parties to the suit. If the interlocutory application is to be allowed, it will alter the character of the suit. Originally the suit was filed by the petitioner/plaintiff for declaration of title and for permanent injunction. Having executed the Settlement Deeds, if the proposed parties are impleaded as parties to the suit, it will completely change the character of the suit, which is legally impermissible.

6. For the foregoing reasons, this Court does not find any merit in this



Civil Revision Petition. Accordingly, this Civil Revision Petition is dismissed.

Since the suit is of the year 2016, this Court directs the Court to dispose of the suit within a period of *six months* from the date of receipt of a copy of this order. No costs. Consequently, connected Miscellaneous Petition is closed.

29-07-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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To

The Additional District Munsif,
Perambalur.



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ABDUL QUDDHOSE, J.

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