



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.08.2018

CORAM :

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

CRP (MD)No.2207 of 2017 (PD)
and
CMP (MD)No.10836 of 2017

K.Raman

... Petitioner/Petitioner/
Third Party

Vs.

1. M.Kunjaram

... Respondent/Respondent/
Plaintiff

2. The Tahsildar,
Taluk Office, Sivagangai Taluk,
Sivagangai District.

3. The District Collector,
Office of the District Collector,
Maruthupandiar Nagar,
Sivagangai Town,
Sivagangai District.

... Respondents/Respondents/
Defendants

Prayer : This Civil Revision Petition is filed under Article 227 of the Constitution of India, to call for the records relating to the impugned fair and decreetal order dated 11.09.2017 made in I.A.No.803 of 2017 in O.S.No.114 of 2013 on the file of the District Munsif Court, Sivagangai, set aside the same.

For Petitioner : Mr.S.Srinivasa Raghavan

ORDER

The first respondent herein filed O.S.No.114 of 2013 on the file of the District Munsif Court, Sivagangai seeking the relief of permanent injunction against the Government and the Revenue Department. The revision petitioner herein filed IA.No.803 of 2017 for impleading himself as the third defendant in the said suit. The case of the revision petitioner is that he is in possession and enjoyment of a portion of the suit property. The court below by the impugned order dated 11.09.2017 dismissed



the said I.A. Questioning the same, this Civil Revision Petition is filed.

2. Heard the learned counsel for the petitioner who reiterated the grounds set out in the memo of grounds.

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3. This Court is of the view that what has been filed by the first respondent is only a simple suit for permanent injunction. It is a contest between the first respondent on the one hand and the respondents 2 and 3 on the other. Even if the first respondent secures relief in his favour, the same cannot be put into use against the revision petitioner. Since the revision petitioner is not a party to the suit proceedings, obviously, the outcome of the suit proceedings will not bind him. The revision petitioner need not have any cause for anxiety or apprehension.

4. With this observation and sustaining the impugned order, this Civil Revision Petition stands dismissed. No costs. Consequently, connected miscellaneous petition is also dismissed.

Sd/-

Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar (CS-IV)

To

1. The District Munsif,
Sivagangai.

2. The Section Officer,
V.R. Section,
Madurai Bench of Madras High Court,
Madurai. (2 Copies)

+ 1 CC TO Mr. S. SRINIVASA RAGHAVAN, ADVOCATE IN SR No. 77669

SKM

TE/KAK/SAR-4 : 27/08/2018 : 2P/5C

CRP (MD) No. 2207 of 2017 (PD) and
CMP (MD) No. 10836 of 2017
07.08.2018