



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.08.2018

CORAM

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

C.R.P. (MD).No.1445 of 2016

WEB COPY

Arulmigu Nachiar Andar Thirukoil,
Through its Executive Officer,
Srivilliputhur,
Virudhunagar District.

... Petitioner/Petitioner/
Plaintiff

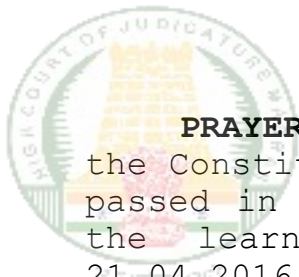
Vs.

1.The Tamil Nadu Government,
Through its District Collector,
Tirunelveli District,
Tirunelveli.

2.The Sub Registrar,
Karivalamvanthanallur,
Tirunelveli.

3. Gothaiaammal
4. Jawahar Appasamy
5. J.Rajeswari
6. Arjuna Raja
7. Revathi
8. Ramarajan @ Ramanujan
9. Rajalakshmi
- 10.Ambika
- 11.Padmavathi
- 12.Seethalakshmi
- 13.Palani
- 14.Saroja
- 15.Shakthivel
- 16.Mohan
- 17.Bhuvaneshwari
- 18.Kumaravel
- 19.Jothi
- 20.Mary Nirmala
- 21.Chandra
- 22.Gnanamuthu
- 23.Palanithai
- 24.Vathsala
- 25.Thirupati
- 26.Madasamy
- 27.Mohanraj
- 28.Mariappan
- 29.Rajeshwari

... Respondents 10 to 29/
Respondents 10 to 29/
Proposed Defendants 11 to 30



PRAYER : Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order passed in I.A.No.176 of 2016 in O.S.No.310 of 2008 on the file of the learned Additional District Munsif, Sankarankovil, dated 21.04.2016.

For Petitioner : Mr.M.P.Senthil
For R-1 : Mr.M.Karuppasamy,
Government Advocate.
For R-2 : Mr.M.Murugan,
Government Advocate.
For R-4, R-5,
R-12 to R-18,
R-20, R-21 &
R-23 to R-25 : Mr.S.Natarajan
For R-3, R-6 to R-8,
R-10, R-11, R-19 &
R-26 to R-29 : No appearance.

ORDER

The plaintiff in O.S.No.310 of 2008 on the file of the Court of the District Munsif, Sankarankovil, is the Revision petitioner herein.

2. It is a suit instituted by the Revision petitioner seeking the relief of declaration and recovery of possession. It appears that after the institution of the suit, some of the original defendants made certain alienations. In their written statement itself, this aspect of the matter was pointed out. But the plaintiff did not take immediate steps for impleading the alienees. Only when the matter was posted for arguments, I.A.No.176 of 2016 was filed. The Court below dismissed the same. The dismissal of the said application was without notice to the proposed alienees. The correctness of the said order is questioned in this Civil Revision petition.

3. The learned counsel appearing for the contesting respondents in this Civil Revision petition pointed out that the Court below was justified in passing the impugned order of dismissal. He fairly submitted that he would not press his objection regarding non-joinder of necessary parties at the time of arguments. This is recorded. Any alienation that had taken place during the pendency of the suit cannot really affect the overall issue.

4. With these observations, the Civil Revision petition stands disposed of. No costs.

Sd/-
Assistant Registrar (Crl.Side)

/True Copy/



To

1.The Additional District Munsif,
Sankarankovil.

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

+1CC to Mr.S.Natarajan, Advocate in SR.No.80131.

+1CC to Mr.M.P.Senthil, Advocate in SR.No.80172.

+1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No.80250.

PMU

DS/SKN/SAR- 2:27.08.2018: 3P/7C

C.R.P. (MD) .No.1445 of 2016
24.08.2018