



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.09.2018

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P.(MD).No.574 of 2016 and
C.M.P.(MD)No.2511 of 2016 and
C.M.P.(MD)Nos.12055 & 12056 of 2017 in
C.R.P.(MD)Nos.SR.33596 & SR.33598 of 2017

M.Selva Kumar

... Petitioner/Petitioner/
Proposed party in CRP and
in all petitions

Vs.

1. C.Santhanam,
S.Senthil Arumugam,
Trustees,
Swamy Sakkarai Vinayagar Temple,
Pettai,
Tirunelveli.

...Respondent/ Respondent/Petitioner
in Revision and both Petitioner

2. D.Mariammal

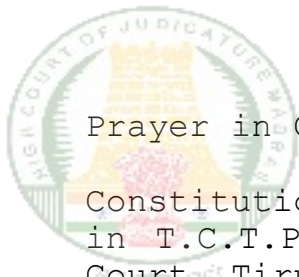
3. S.Murugesan

... Respondents/Respondents/
Respondents in Revision and both Petitioner

PRAYER IN C.R.P.(MD)No.574 of 2016: Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the order passed in I.A.No.21 of 2012 in T.C.T.P.No.14 of 2007, dated 29.01.2015 on the file of the Revenue Court, Tirunelveli and allow this Civil Revision petition.

PRAYER IN CMP(MD).12055 of 2017 in C.R.P.(MD)No.SR33596 of 2017: Petitions are filed under Section 151 of Civil Procedure Code, to grant leave to prefer C.R.P.(MD)SR.No.33596 of 2017 against the order passed in E.P.No.4 of 2015 in T.C.T.P.No.14 of 2007, dated 26.10.2015 on the file of the Revenue Court, Tirunelveli.

PRAYER IN CMP(MD).12056 of 2017 in C.R.P.(MD)No.SR33598 of 2017: Petitions are filed under Section 151 of Civil Procedure Code, to grant leave to prefer C.R.P.(MD)SR.No.33598 of 2017 against the order passed in T.C.T.P.No.14 of 2007, dated 29.01.2015 on the file of the Revenue Court, Tirunelveli.



Prayer in CRP(MD)SR 33596 of 2017:

Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the order passed in E.P.No.4/2015 in T.C.T.P.No.14/2007 dated 26.10.2015 on the file of the Revenue Court, Tirunelveli and allow this Civil Revision Petition.

Prayer in CRP(MD)SR 33598 of 2017:

Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the order passed in T.C.T.P.No.14/2007 dated 29.01.2015 on the file of the Revenue Court, Tirunelveli and allow this Civil Revision Petition.

(in all petitions)

For Petitioner : Mr.T.Selvan

For Respondents : Mr.V.Meenakshisundaram

C O M M O N O R D E R

The first respondent herein filed T.C.T.P.No.14 of 2007 before the Revenue Court, Tirunelveli, against respondents 2 and 3 herein. The said petition was filed for evicting respondents 2 and 3 herein. In the said proceedings, the Revision petitioner herein wanted to implead himself. It is beyond dispute that there is no direct landlord-tenant relationship between the first respondent herein and the Revision petitioner herein. The Revision petitioner herein claims some rights through the tenant Mariammal. In other words, the Revision petitioner is a sub tenant. The sub tenant need not be impleaded in the eviction proceedings instituted by the landlord against the main tenant as the sub tenant is bound by the eviction order obtained against the main tenant.

2. Therefore, the Revenue Court rightly dismissed the Revision petitioner's application for getting himself impleaded in T.C.T.P.No.14 of 2007. The order impugned in the Civil Revision petition does not call for any interference. The Civil Revision petition stands dismissed, accordingly. No costs. Consequently, connected C.M.P.(MD)No.2511 of 2016 is also closed.

3. The Question of granting leave in preferring C.R.P.(MD)Nos.SR33596 and SR33598 of 2017 does not arise. They also stand dismissed.

Sd/-

Assistant Registrar(CS-III)

/True Copy/



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The Special Deputy Collector,
The Revenue Court, Tirunelveli.

pmu

- . 1 CC TO Mr.T.Selvan, ADVOCATE IN SR No.82534.
- . + 1 CC TO Mr.D.Nalla Thambi , ADVOCATE IN SR No. 82577.
- .
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