

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.06.2019

C O R A M

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

C.R.P.(PD)No.1546 of 2018

and

C.M.P.NO.8253 of 2018

1.Subbulakshmi

2.Kalamani

3.Rajamani

4.Balasubramaniam

5.K.Duraisamy

6.Karuppusamy

... Petitioners

Vs.

1.The State

Represented by the District Collector,
Office of the Collectorate,
Tiruppur,
Tiruppur District.

2.The Tahsildar,
Taluk Office,
Palladam.

3.The Village Administrative Officer,
Kondangipalayam Village,
Palladam Taluk.

4.Mayangathaal

5.Subramaniam

6.Chellammal

7.The District Revenue Officer,
Tiruppur.

8.The Revenue Divisional Officer,
Tiruppur

... Respondents

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India against the fair and decreetal order of District Munsif Court, Palladam dated 09.01.2018 made in I.A.No.238 of 2017 in O.S.No.70 of 2010.

For Petitioner : Mr.S.Sithirai Anandam

ORDER

The suit is for declaration of title. The petitioners / plaintiffs seeks to implead the District Revenue Officer, Tiruppur and Revenue Divisional Officer as parties to the suit. The Trial Court dismissed the application for impleading them as parties since they are neither necessary nor proper parties to the suit. Aggrieved over the same, the present civil revision petition has been filed.

2. On perusing the impugned order, this Court could see that the first respondent himself is the District Collector, Tiruppur, the second respondent is Tahsildar, Palladam and the third respondent is Village Administrative Officer of Kodangipalayam Village. Further, the

respondents were represented well before the Trial Court. When the District Collector himself is a party in the suit, according to the trial Court, the petitioners / plaintiffs have not shown any reason or cause of action for impleading the District Revenue Officer and Revenue Divisional Officer, as parties to the suit. The Trial Court has rightly considered the factum that the proposed defendants are neither necessary nor proper parties and their presence will not in any way help the petitioners for effective adjudication of real disputes between the parties and therefore dismissed the case.

3. I do not find any reason to interfere with the order passed by the trial Court. If at all, the petitioners require any materials, the Head of the District Administration is very much a party before the trial Court and they can get everything from them. Hence, the Civil Revision Petition merits no consideration and accordingly dismissed. No costs. Consequently, connected civil miscellaneous petition is closed.

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M. GOVINDARAJ, J.

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To

- 1.The District Collector,
Tiruppur,
Tiruppur District.
- 2.The Tahsildar,
Taluk Office,
Palladam.
- 3.The Village Administrative Officer,
Kondangipalayam Village,
Palladam Taluk.
- 4.The District Revenue Officer,
Tiruppur.
- 5.The Revenue Divisional Officer,
Tiruppur.



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