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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 19..12..2019

CORAM

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

Civil Revision Petition No.4183 of 2019
and
C.M.P.No.27213 of 2019

Arulmigu Mayuranathaswamy Thirukkoil,
Utchikala Kattalai Trust,
Rep. by its Power of Attorney,
Mr.R.Pandian

... Petitioner

-Versus-

1. Mayuranathar Nagar Residents Welfare Association,
Rep. by its President,
Mr.C.Rajagopal,
No.29, 2nd Street, Mela Oththa Saragu,
Mayiladuthurai Town.
2. Mayuranathar Nagar Residents Welfare Association,
Rep. by its Secretary Mr.R.Saba,
No.29-C, 2nd Street, Mela Oththa Saragu,
Mayiladuthurai Town.
3. Tamil Nadu Electricity Generation and Distribution Co.,
Rep. by its Superintending Engineer, '
Nagapattinam.
4. The Divisional Engineer [Operation & Maintenance].
Tamil Nadu Electricity Generation and Distribution Co.,
Mayiladuthurai.
5. The Assistant Executive Engineer (Town),
Tamil Nadu Electricity Generation and Distribution Co.,
Mayiladuthurai.
- 6.The Assistant Engineer, (West)
(Operation & Maintenance),
Tamilnadu Electricity Generation and Distribution Co,
Mayiladuthurai.

... Respondents

Petition filed under Article 227 of the Constitution of India, praying to set aside the order dated 01.11.2019 made in



I.A.No.4 of 2019 in O.S.No.47 of 2019 by the learned Principal District Munsif, Mayiladuthurai.

For Petitioner

: Mr.M.Venkatakrishnan

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ORDER

This civil revision petition has been filed against the order of the learned Principal District Munsif, Mayiladuthurai, allowing the application filed by the respondents 1 and 2 to implead them as party defendants in the suit in O.S.No.47 of 2019 filed by the petitioner temple.

2. Claiming to be the owner of the suit scheduled property, the petitioner temple filed the above said suit for permanent injunction restraining the defendants from giving electricity service connection to the occupants in the suit schedule property without the consent of the petitioner temple. In the above said suit, the authorities concerned from the Electricity Board have been arrayed as party defendants. Subsequently, the respondent association known as 'Mayuranathar Nagar Residents Welfare Association' represented by its President and Secretary filed the application under revision seeking to implead them as party defendants in the suit which was allowed by the court below. Challenging the above said order, the plaintiff is before this court with the present revision petition.

3. This civil revision petition is coming up today for admission. I have heard the learned counsel for the petitioner and also perused the records carefully.

4. The suit is for injunction restraining the Tamil Nadu Electricity Board from giving electricity service connection to the occupants in the suit schedule property without the consent of the petitioner temple. On the application by the respondent association, the President and the Secretary of the Association, who represent the occupants, have been impleaded as party defendant by the order of the court below on the main ground that if any decree is passed in the suit, the same would seriously affect the right of the members of the respondent association and therefore, they were considered as just and necessary parties to the suit. On considering the available materials and the finding of the court below, this court does not find any illegality or irregularity in the same. Thus, the revision petition fails and the same is liable only to be dismissed.



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In the result, this Civil Revision Petition is dismissed. No cost. Consequently, connected CMP is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

kmk

To

1. The Principal District Munsif, Mayiladuthurai.

+1cc to Mr.M.VenkataKrishnan, Advocate, Sr.No.105637

Civil Revision Petition
No.4183 of 2019

KS (CO)
GS (02/07/2020)