



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.11.2020

CORAM:

THE HONOURABLE MR. JUSTICE N.SESHASAYEE

C.R.P. (PD) (MD)No.992 of 2019
& CMP(MD).No.5547 of 2019

O.S.J.Subair Ameer

... Petitioner/ 1st Respondent
Plaintiff

Vs.

1.Rafeeq Ali

... 1st Respondents/Petitioner
/Proposed 4th Defendant

2.Jamal Mohaideen

3.Mohammed Faruk

4.Maraikayair @ Mohammed Noogu

... 2 to 4th Respondents/ 2 to 4th
Respondents/1 to 3rd Defendants

PRAYER: The Civil Revision Petition is filed under Article 227 of the Constitution of India to set aside the fair and decreetal order in I.A.No.112 of 2019 in O.S.No.104 of 2018 dated 22.03.2019 on the file of the learned District Munsif, Aranthangi, Pudukkottai District.

For Petitioner : Mr.S.Muthalraj
For Respondents : Mr.R.Prasanna

ORDER

The present Civil Revision Petition is preferred by the plaintiff in O.S.No.104 of 2018, challenging an order passed in a petition preferred by certain third party who claims right of sub-tenancy under respondents 2 to 4/defendants 1 to 3 herein.

2.The learned counsel for the petitioner submitted that there is no right vested in the tenants/respondents 2 to 4 to sub-lease the property to the third party, who claims sub-tenancy.

3.Heard, both sides.

4.Whether there is a right of sub-tenancy available or not can be agitated in the very suit itself and this Court considers that the participation of the first respondent/third party in the suit may shorten the course of litigation. This Court was also informed during hearing that the suit property comes under the chatram property administration of the District Collector, Pudukkottai. This Court finds that he is not made a party to the suit. His presence is



required more in the context of not to decide whether the proposed sub-tenant is entitled to sub-lease of the suit property. The petitioner is therefore, directed to implead the District Collector, Pudukkottai as a party to the suit.

5. Accordingly, this Civil Revision Petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Tsg-2

To

The District Munsif,
Aranthangi, Pudukkottai District.

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

+1 CC to Mr.NA.PALANIYANDI, Advocate SR-21993.

C.R.P. (PD) (MD) No.992 of 2019

18.11.2020

PK (CO)

CS (09.12.2020) 2P 5C