



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

C.R.P. (MD) .No.661 of 2021
and C.M.P. (MD) .No.3592 of 2021

1.G.Manivannan
2.S.Ramachandran
3.P.Balasubramanian
4.P.Periyasamy
5.N.Jeevakarunyan
6.R.Thangarasu

... Petitioners/Petitioners/
Proposed Defendants 4 to 9
Vs.

1.AL.Veerappan
2.AL.Sathaiya
3.AL.Adaikalam

... Respondents 1 to 3/
Respondents 1 to 3/Plaintiffs 1 to 3

4.Sivakumar
5.Ravichandran
6.Periyasamy

... Respondents 4 to 6/
Respondents 4 to 6/Defendants 1 to 3

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India, against the return endorsement made in unnumbered I.A.SR.No.24 of 2021 in O.S.No.90 of 2011 on the file of the learned Additional Sub Court, Pudukkottai.

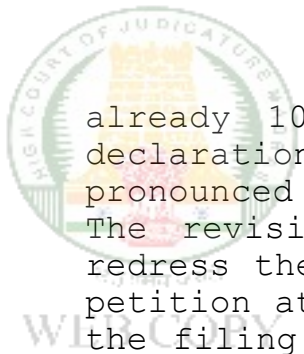
For Petitioners : Mr.D.Ramesh Kumar

ORDER

This Civil Revision Petition is directed against the return endorsement made in the impleading petition filed by the revision petitioners in unnumbered I.A.SR.No.24 of 2021 in O.S.No.90 of 2011 on the file of the learned Additional Sub Court, Pudukkottai.

2.Heard the learned counsel for the petitioner.

3.It is seen from the records that the suit in O.S.No.90 of 2011 was filed, claiming the reliefs to declare the title of the plaintiffs and for permanent injunction restraining the defendants and their men from trespassing or interfering with the possession and enjoyment of the suit property. After completion of trial, the suit was posted for pronouncing judgment. At that stage, the revision petitioners have filed an application to implead themselves as defendants 4 to 9, on the ground that they are having the title over the suit property. The suit was filed in the year 2011 and



already 10 years got lapsed. Moreover, the suit is only for declaration and permanent injunction. Hence, the Judgment to be pronounced is not in rem and is binding only the parties to the lis. The revision petitioners can very well file a separate suit to redress their grievance, if any. The very filing of the impleading petition at this stage, that too after the lapse of 10 years, since the filing of the suit, creates a genuine doubt over the intention and the conduct of the petitioners. Hence, this Court is not inclined to admit the revision petition.

4.In the result, this Civil Revision Petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

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/ /2021

Sub Assistant Registrar(CS)

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To

1.The Additional Subordinate Judge, Pudukkottai.

2.The Section Officer,
E.R/V.R.Section,
Madurai Bench of Madras High Court,
Madurai.

C.R.P. (MD) .No.661 of 2021

08.04.2021

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