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C.R.P.(PD) No.1453 of 2022



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.06.2022

CORAM

THE HONOURABLE Ms. JUSTICE R.N.MANJULA

C.R.P.(PD).No.1453 of 2022

and

C.M.P.No.7520 of 2022

1.Rajamani

2.V.Lakshmanasamy

3.Radhamani

... Petitioners

Vs.

1.Selvi

2.The Tahsildar,  
Coimbatore North,  
Coimbatore-641 018.

3.The District Collector,  
Coimbatore-641 018.

... Respondents

**PRAYER:** Civil Revision Petition filed under Article 227 of the Constitution of India against the fair and decretal order dated 10.03.2022 in I.A.No.2 of 2021 in O.S.No.932 of 2020 on the file of the Principal District Court, Coimbatore.



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For Petitioners : Mr.C.R.Prasanan  
For 1<sup>st</sup> respondent : Mr.T.Shanmugananda Vijayakumar  
For Respondents 2 and 3 : Mr.P.Harish,  
Govt. Advocate (C.S.)

### **ORDER**

This Civil Revision Petition has been preferred challenging the order of the Principal District Munsif Court, Coimbatore, dated 10.03.2022 made in I.A.No.2 of 2021 in O.S.No.932 of 2020.

2. The petitioners are the plaintiffs in the suit and suit has been filed by the plaintiffs seeking the relief of declaration that the plaintiffs are the legal representatives of the deceased M.Viswanathan. When the suit was pending, the 1<sup>st</sup> respondent has filed the petition in I.A.No.2 of 2021 to implead herself as party to the proceedings and the same was allowed. Aggrieved over that the revision petitioners/plaintiffs have filed this revision petition.

3. The learned counsel for the revision petitioners/plaintiffs submitted that the 1<sup>st</sup> respondent is no way connected to the deceased Viswanathan and the 1<sup>st</sup> respondent falsely claims that she is the daughter of late



Viswanathan. The revision petitioners/plaintiffs have filed the suit for declaration by impleading only the Government defendants. When a third party claims that she is also a legal representative of the deceased, she is an essential party to the proceedings. The genuineness of her claim can be looked into at the time of trial and it is for the learned trial Judge to render a finding on this aspect with the help of materials available before him.

4. By impleading the 1<sup>st</sup> respondent as a party to the proceedings, no prejudice would be caused to the revision petitioners/plaintiffs. The revision petitioners are always at liberty to file their reply statement if any for the newly added defendants.

5. So it is right for the learned trial Judge to accept the contention of the 1<sup>st</sup> respondent and also the petition for impleadment.

6. In view of the above stated reasons, I do not find any ground for interference.

7. Hence, the Civil Revision Petition is dismissed and the fair and



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decretal order, dated 10.03.2022 passed by the learned Principal District Munsif, Coimbatore, in I.A.No.2 of 2021 in O.S.No.932 of 2020 is hereby confirmed. No Costs. Consequently, connected civil miscellaneous petition is closed.

**13.06.2022**

Index : Yes/No  
Speaking Order : Yes / No  
ssn

To

1. The Principal District Court,  
Coimbatore.
2. The Tahsildar,  
Coimbatore North,  
Coimbatore-641 018.
3. The District Collector,  
Coimbatore-641 018.
4. The Section Officer,  
VR Section, Madras High Court,  
Chennai.

**R.N.MANJULA, J.,**



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**13.06.2022**