



C.R.P. Nos. 1959 ,1960 & 1962 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.03.2023

CORAM

THE HON'BLE MRS. JUSTICE T.V.THAMILSELVI

C.R.P.Nos.1959,1960 and 1962 of 2022

1.Thangamani

2.Mahesh

3.Palanisamy

4.Susila

... Petitioners in all CRPs

Vs

1.A.N.Kumar

2.Annakodi

3.Thangamani

4.Rasu

5.Govt. of TamilNadu

6.The Revenue Divisional Officer

7.The Revenue Tahsildar

... Respondents in all CRPs

COMMON PRAYER : Civil Revision Petition filed under Article 227 of the Constitution of India, praying to set aside the fair and decreetal order of the District Munsif Court, Gobichettipalayam, dated 19.01.2022 in I.A.No.8 of 2021, I.A.No.3 of 2021 and I.A.Nos.6 & 2 of 2021 respectively in O.S.No.87 of 2021.



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For Petitioners : Mr.P.Valliappan
For Respondent :
For R1 to R4 : Mr.M.Guruprasad
For R5 to R7 : Mr.M.R.Gokul Krishnan
Additional Government Pleader

ORDER

The revision petitioners herein, are the plaintiffs, challenging the order passed in I.A.No.8 of 2021, I.A.No.3 of 2021 and I.A.Nos.6 & 2 of 2021 respectively in O.S.No.87 of 2021, under Order 1 Rule 10(2) of CPC before the learned District Munsif Court, Gobichettipalayam, dated 19.01.2022. The petitioners have filed an applications to implead them in I.A.No.8 of 2021, I.A.No.3 of 2021 and I.A.Nos.6 & 2 of 2021 respectively.

2. The learned counsel for the petitioners submits that the suit property is a patta land with path way. They want to implead them and raised an objection, stating that the suit property is situated in 721/3 and they used it as cart track to reach their land in Survey No.7/12 of an extent



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of 4 acre, but the respondents claimed that the said property is a Government Poramboke.

3. On Considering both sides submissions and on a perusal of the records, it reveals that, the learned trial Judge allowed the application, without impleading necessary parties. Suit is now at the time of trial and so necessary parties are to be impleaded, otherwise it will lead to multiplicity of proceedings.

4. The learned counsel for the petitioners submits that proposed parties are no way connected with the suit relief in the cart track in S.F.No.721/3, but they have falsely claimed it is a patta land.

5. The contention of the respondents that based on the patta, they are entitled the said property but the nature of the property and the right of the property, have to be ascertained only after trial.



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6. On hearing both sides, the trial Court allowed the said petitions without costs, which needs no interference by this Court and the finding of the trial Court is confirmed.

7. Accordingly, these revision petitions are dismissed. No costs.

24.03.2023

Index : Yes/No

Internet: Yes/No

Speaking/Non Speaking order

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To

The District Munsif,
Gobichettipalayam.



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T.V.THAMILSELVI, J.

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