



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.12.2023

CORAM

THE HON'BLE MRS.JUSTICE T.V.THAMIL SELVI

**CRP.No. 4378 of 2023
and
C.M.P.No.26578 of 2023**

R.Natarajan
Represented by his Power agent,
N.Kalaiselvan

... Petitioner

Vs.

1. Pappusamy

2. The Tahsildar,
Sulur Taluk,
Taluk Office compound
Sulur, Coimbatore.

3. The District Collector,
Collectorate Compound,
Coimbatore.

... Respondents

Prayer : Civil Revision Petition filed Article 227 of Constitution of India,
praying to set aside the order dated 12.07.2023 made in I.A.No.4 of 2022 in
O.S.No.1410 of 2018 on the file of the IV Additional Subordinate Judge,
Coimbatore.

For Petitioner : Mr.S.Arjun



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For Respondents : No appearance

ORDER

The petitioner has filed this petition to set aside the order dated 12.07.2023 made in I.A.No.4 of 2022 in O.S.No.1410 of 2018 on the file of the IV Additional Subordinate Judge, Coimbatore.

2. Before the trial Court, the petitioner has filed a suit for declaration and injunction. During pendency of the proceedings, the petitioner has filed I.A.4 of 2022 in O.S.No.1410 of 2018, under Order I Rule 10 of CPC to implead the 2nd and 3rd respondents, who are Tahsildar and District Collector / proposed parties as the defendants in the suit. The sub- division proceedings were dismissed by the learned trial Judge holding that the proposed parties are Public Officials and if at all any sub-division was made they will be considered on the evidence, not by examining those witnesses. Aggrieved the said order, the revision petitioner has preferred this revision.

3. The learned counsel for the revision petitioner submitted that without knowledge of the completion of the suit proceedings, the said proceedings took



place. To prove the same, he wants to implead the Govt. Officials to conduct enquiry in respect of the S.F.No.419 /3A & 3 B, extent of 3.64 acres. No notice also served.

4. Admittedly, in B-Schedule property, pertaining to S.No.419 / 3 A & 3B are disputed, therefore to avoid multiplicity of proceedings, this Court is inclined to implead those officials as parties, would not cause any prejudice to the respondents and nor change the character of the suit. But the learned trial Judge failed to appreciate the facts, and erroneously dismissed the application. I.A.No.4 of 2022 in O.S.No.1410 of 2018 is set aside.

5. Accordingly, this Civil Revision petition is allowed. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

08.12.2023

Index : Yes/No
Speaking order / Non speaking order
Neutral Citation: Yes/No
rri

T.V.THAMIL SELVI, J.



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To

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1. The Tahsildar,
Sulur Taluk,
Taluk Office compound
Sulur, Coimbatore.
2. The District Collector,
Collectorate Compound,
Coimbatore.
3. The IV Additional Subordinate Judge,
Coimbatore.
4. The Section Officer,
VR-Section, High Court of Madras.

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