



C.R.P.(PD)Nos.2450, 2451, 2452, 2453, 2462, 2463,
2465, 2461, 2464 & 2466 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.07.2024

CORAM

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

**C.R.P.(PD)Nos.2450, 2451, 2452, 2453, 2461, 2462,
2463, 2464, 2465 & 2466 of 2024**

and

**C.M.P.Nos.12821, 12824, 12825, 12827, 12854,
12855, 12856, 12857, 12859 & 12863 of 2024**

C.R.P.(PD)No.2450 of 2024 :

N.Prabakaran

.. Petitioner

Vs.

1.The Executive Officer,
Arulmigu Thiruvalléeswarar Temple

2.S.Shanmugasundaram,
The Hereditary Trustee,
Arulmigu Thiruvalléeswarar Temple,
Padi, Chennai

3.The District Collector,
Thiruvallur District

4.The District Collector,
Chennai District



C.R.P.(PD)Nos.2450, 2451, 2452, 2453, 2462, 2463,
2465, 2461, 2464 & 2466 of 2024

5. The Tahsildar,
Ambattur Taluk,
Ambattur, Chennai

.. Respondents

Prayer : The Civil Revision Petition is filed under Article 227 of Constitution of India, to set aside the order and decree, dated 21.03.2024, made in I.A.No.2 of 2024 in O.S.No.138 of 2018 on the file of the learned III Additional District and Sessions Judge at Thiruvallur at Poonamallee.

For Petitioner : Ms.M.Santhanamari
(in all CRPs)

For Respondents : Dr.S.Suriya
(in all CRPs) Additional Government Pleader

COMMON ORDER

These batch of Civil Revision Petitions have been filed by the plaintiffs.

2. They presented several suits seeking declaration that they are the absolute owners of the suit schedule mentioned properties and for permanent injunction restraining the 1st defendant/Temple from interfering with their peaceful possession and enjoyment of the property.



*C.R.P.(PD)Nos.2450, 2451, 2452, 2453, 2462, 2463,
2465, 2461, 2464 & 2466 of 2024*

WEB COPY

3. Originally, the suit was filed only against the Executive Officer of the Arulmigu Thiruvalleeswarar Temple. Thereafter, an application was filed to implead the Hereditary Trustee of the said Temple, the District Collectors of Chennai and Tiruvallur District and the Tahsildar of Ambattur Taluk. This application was taken on file as I.A.No.1 of 2019.

4. The learned III Additional District and Sessions Judge at Poonamallee, before whom the suits were pending, passed an order on 06.04.2021 in I.A.No.1 of 2019. The said application was partly allowed impleading the Hereditary Trustee of the 1st defendant/Temple and the application stood dismissed against the relief of impleading the District Collectors of Chennai and Tiruvallur District and the Tahsildar of Ambattur Taluk are concerned.

5. There is no dispute that the said order has attained a finality. Thereafter, the amendments were carried out and when the consequential pleadings were completed, the matter was listed for trial.



*C.R.P.(PD)Nos.2450, 2451, 2452, 2453, 2462, 2463,
2465, 2461, 2464 & 2466 of 2024*

WEB COPY

6. At the stage of trial, yet another application was filed for amendment and impleading. This time, the plaintiffs wanted to implead the very same persons against whom the application had already been dismissed by the learned Judge in I.A.No.1 of 2019. That is to say, the plaintiffs wanted to implead the District Collectors of Chennai and Tiruvallur District and the Tahsildar of Ambattur Taluk.

7. Repeated applications for the very same relief is nothing but an abuse of process of Court. If the plaintiffs felt that the proposed parties are proper and necessary parties to the proceedings, their remedy would have been to prefer a revision against I.A.No.1 of 2019.

8. A reading of the plaint shows that the cause of action was alleged as against the 1st defendant/Executive Officer of the Temple who is alleged to have stated that the plaintiffs are the encroachers of the Temple property and that the Temple is entitled to evict them by treating them as such. There is no plea against the District Collector of Chennai or the District Collector of Thiruvallur or against the Tahsildar of Ambattur Taluk for having indulged in such acts as alleged against the 1st defendant.



*C.R.P.(PD)Nos.2450, 2451, 2452, 2453, 2462, 2463,
2465, 2461, 2464 & 2466 of 2024*

WEB COPY

9. In the light of the above discussions, I do not find any reason to interfere with the orders passed by the learned III Additional District and Sessions Judge at Poonamallee.

10. Accordingly, these Civil Revision Petitions stand dismissed. No costs. The connected Civil Miscellaneous Petitions are closed.

18.07.2024

mkn2

Index:Yes/No

Speaking Order :Yes/No

Neutral Citation:Yes/No



WEB COPY



*C.R.P.(PD)Nos.2450, 2451, 2452, 2453, 2462, 2463,
2465, 2461, 2464 & 2466 of 2024*

V. LAKSHMINARAYANAN, J.

mkn2

To

The learned III Additional District and
Sessions Judge at Thiruvallur,
Poonamallee

**C.R.P.(PD)Nos.2450, 2451, 2452, 2453, 2461, 2462,
2463, 2464, 2465 & 2466 of 2024**

and

**C.M.P.Nos.12821, 12824, 12825, 12827, 12854,
12855, 12856, 12857, 12859 & 12863 of 2024**

18.07.2024