



C.R.P.(MD).No.1374 of 2019

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.04.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

C.R.P.(MD)No.1374 of 2019

and

C.M.P(MD) No.7350 of 2019

1. G.M.Ayebkon
2. Alifathima
3. Barisha Beham
4. Jerina Beham
5. Sabren Jemila
6. Jiyaudeen
7. G.M.Sahul Hameed
8. A.Mohideen Fathima

... Revision Petitioners /Petitioners/
Defendants 3 to 10

-vs-

1. Chithirailingam
2. Balakrishnan
3. Arikeson
4. Lingaraj

... Respondents 1 to 4/ Plaintiffs 1 to 4



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5. M.Kannan

6. M.V.N.Suriyaprakash

... Respondents 5 and 6/Defendants 1&2

7. J.Selvamani

... 7th Respondent/11th defendant

8. Kader Meeran

9. Musthappa

... Respondents 8 and 9 /
Proposed Respondents/
Proposed party

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, against the order and decretal order dated 01.10.2018 made in I.A.No.430 of 2018 in O.S.No.35 of 2017 on the file of the District Munsif Court, Tiruchendur.

For Petitioners : Mr.S.Siva Thilakar

For R2 to R4 : Mr.G.Prabhu Rajadurai

For R1&R5 to R9 : No appearance

ORDER

The present Civil Revision Petition has been filed by the defendants 3 to 10 in O.S.No.35 of 2017 on the file of the District Munsif Court, Tiruchendur.

2. The respondents 1 to 4 herein as plaintiffs have filed a suit for



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declaration that certain documents are null and void and they are not binding upon the plaintiffs. The plaintiffs have further prayed for permanent injunction not to disturb their possession. Pending suit, the defendants had filed I.A.No.430 of 2018 to implead certain third parties to the suit on the ground that they are necessary parties. The said application has been dismissed by the trial Court. Challenging the same, the present Civil Revision Petition has been filed.

3. According to the learned counsel appearing for the revision petitioners, the proposed parties are necessary parties to the suit and unless they are impleaded, the suit cannot be adjudicated properly.

4. Per contra, the learned counsel appearing for the respondents 2 to 4 had contended that there is no cause of action as against the proposed parties and they are not necessary parties to the suit.

5. As rightly contended by the learned counsel appearing for the respondents 2 to 4, the plaint does not disclose any cause of action as against the proposed parties and it has not been explained how they are connected to



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the suit schedule property. In case, if they are necessary parties, only the plaintiffs have to take steps to implead them. This application has been filed only to drag on the proceedings on the side of the defendants and there is no merit in the Civil Revisions Petition.

6. Accordingly, this Civil Revision Petition stands dismissed. There shall be no order as to costs. Consequently connected Miscellaneous Petition is closed.

22.04.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
ebsi

To
1. The District Munsif Court,
Tiruchendur.



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R.VIJAYAKUMAR,J.

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