



C.R.P.Nos.55, 56, 60, 61, 63, 64 & 66 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.09.2025

CORAM

THE HONOURABLE MR. JUSTICE **P.B.BALAJI**

C.R.P.Nos.55, 56, 60, 61, 63, 64 & 66 of 2022

and

C.M.P.Nos.363, 373, 380, 383, 385, 386 & 395 of 2022

Madeswaran

S/o.Arunachalam

.. Petitioner
in CRP No.55 of 2022

Mohanasundaram

S/o.Natesa Muthali

.. Petitioner
in CRP No.56 of 2022

M.N.Ahambaram

S/o.Nallathambi

.. Petitioner
in CRP No.60 of 2022

Kathirvel

S/o.Ariyaputhiran

.. Petitioner
in CRP No.61 of 2022

Prakash

S/o.Kandasamy Muthali

.. Petitioner
in CRP No.63 of 2022

P.Loganathan

S/o.Ponnusamy

.. Petitioner
in CRP No.64 of 2022

Sundararajan

S/o.Kulanthaivel

.. Petitioner
in CRP No.66 of 2022



C.R.P.Nos.55, 56, 60, 61, 63, 64 & 66 of 2022

Vs.

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1. State of Tamil Nadu
Represented by District Collector of Namakkal.
2. The Revenue Divisional Officer
Namakkal.
3. The Tahsildar
Rasipuram.
4. The Revenue Inspector
Vennandur Firka & Village
Rasipuram Taluk.
5. The Executive Officer (Incharge)
Vennandur Town Panchayat
Vennandur Village and Post
Rasipuram Taluk
Namakkal District.

.. Respondents in all CRPs

Civil Revision Petition No.55 of 2022 filed under Section 115 of the Code of Civil Procedure praying to set aside the fair and decreetal order of the Subordinate Judge's Court at Rasipuram dated 15.11.2019 in I.A.No.60 of 2013 in I.A.No.58 of 2012 in unnumbered A.S.

Civil Revision Petition No.56 of 2022 filed under Section 115 of the Code of Civil Procedure praying to set aside the fair and decreetal order of the Subordinate Judge's Court at Rasipuram dated 15.11.2019 in I.A.No.52 of 2013 in I.A.No.50 of 2012 in unnumbered A.S.

Civil Revision Petition No.60 of 2022 filed under Section 115 of the Code of Civil Procedure praying to set aside the fair and decreetal



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order of the Subordinate Judge's Court at Rasipuram dated 15.11.2019 in I.A.No.61 of 2013 in I.A.No.59 of 2012 in unnumbered A.S.

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Civil Revision Petition No.61 of 2022 filed under Section 115 of the Code of Civil Procedure praying to set aside the fair and decreetal order of the Subordinate Judge's Court at Rasipuram dated 15.11.2019 in I.A.No.58 of 2013 in I.A.No.56 of 2012 in unnumbered A.S.

Civil Revision Petition No.63 of 2022 filed under Section 115 of the Code of Civil Procedure praying to set aside the fair and decreetal order of the Subordinate Judge's Court at Rasipuram dated 15.11.2019 in I.A.No.59 of 2013 in I.A.No.57 of 2012 in unnumbered A.S.

Civil Revision Petition No.64 of 2022 filed under Section 115 of the Code of Civil Procedure praying to set aside the fair and decreetal order of the Subordinate Judge's Court at Rasipuram dated 15.11.2019 in I.A.No.54 of 2013 in I.A.No.52 of 2012 in unnumbered A.S.

Civil Revision Petition No.66 of 2022 filed under Section 115 of the Code of Civil Procedure praying to set aside the fair and decreetal order of the Subordinate Judge's Court at Rasipuram dated 15.11.2019 in I.A.No.62 of 2013 in I.A.No.60 of 2012 in unnumbered A.S.

For Petitioner in all CRPs	:	Mr.P.Valliappan Senior Counsel M/s.PV Law Associates
For Respondent in all CRPs	:	Mr.N.Muthuvel



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Government Advocate
for R1 to R4
Dr.S.Surya, for R5

COMMON ORDER

Heard Mr.P.Valliyappan, the learned Senior Counsel appearing on behalf of the revision petitioner, Mr.N.Muthuvel, the learned Government Advocate for R1 to R4 and Dr.S.Surya, learned counsel for R5 in all CRPs.

2. The respondents 1 to 4 sought to implead themselves and bring them on record as the petitioners / appellants in unnumbered appeal suits filed by the fifth respondent. Admittedly, a decree came to be passed against the respondents 1 to 5 herein in a batch of suits. The fifth respondent - Executive Officer of the Vennandur Town Panchayat alone chose to prefer appeals, way back in the year 2012, that too, belatedly and applications for condonation of delay in preferring the appeal suits are pending enquiry and at this point of time, respondents 1 to 4 sought to implead themselves in the pending unnumbered appeals.

3. The learned counsel submits that the learned Judge has



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allowed the applications for impleadment, challenging which the respondents are now before this Court, by way of these revision petitions.

4. Mr.P.Valliappan, learned Senior Counsel would rightly contend that having lost their right to prefer appeal suits within the time stipulated, the respondents 1 to 4 cannot now seek to implead themselves and thereby, challenge the decree passed against them, which has become final. Merely because the fifth respondent has preferred appeal suits, it would not entitle the respondents 1 to 4 to get themselves impleaded in the unnumbered appeal suits and therefore, he prays for revision petitions to be allowed.

5. Per contra, the learned counsel for the respondents would state that the decree passed in the suits is any way under challenge, at the instance of the fifth respondent and therefore, no prejudice is caused to the petitioners, if the respondents 1 to 4 are allowed to implead themselves in the appeal suits and challenge the judgment and decree and therefore, seeks to confirm the orders of the Court below.

6. I have considered the submissions made by both sides and carefully perused the records.



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7. I have carefully gone through the decree and the order passed by the learned Judge in the impleading applications.

8. As rightly contended by learned Senior Counsel, the respondents have not chosen to prefer appeals within the time stipulated and thereby, the judgment and decree in the suits have become final as against the respondents 1 to 4.

9. In the light of the above, the Sub-Court ought not to have allowed the implead applications on the ground that no prejudice would be caused to the revision petitioners, as appeals have been preferred by the fifth respondent. Respondents 1 to 4 are independent parties and they are not claiming under the fifth respondent. Therefore, if the respondents were aggrieved by the judgment, they ought to have filed appeals within the time stipulated. Having not availed of the opportunity to challenge the judgment and decree in the suits, it is not open to the respondents 1 to 4 to enter the proceedings seeking to implead themselves in the appeals preferred by the fifth respondent.



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In view of the above, Civil Revision petitions stand allowed

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and the orders dated 15.11.2019 in I.A.No.60 of 2013 in I.A.No.58 of 2012 in unnumbered A.S., I.A.No.52 of 2013 in I.A.No.50 of 2012 in unnumbered A.S., I.A.No.61 of 2013 in I.A.No.59 of 2012 in unnumbered A.S., I.A.No.58 of 2013 in I.A.No.56 of 2012 in unnumbered A.S., I.A.No.59 of 2013 in I.A.No.57 of 2012 in unnumbered A.S. I.A.No.54 of 2013 in I.A.No.52 of 2012 in unnumbered A.S and I.A.No.62 of 2013 in I.A.No.60 of 2012 in unnumbered A.S are set aside. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

24.09.2025

Index:Yes/No

Neutral Citation:Yes/No

Speaking / Non-speaking order

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P.B.BALAJI,J.,

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To
The Sub-Judge,
Subordinate Court,
Rasipuram.

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