



CRP.No.1560 of 2025

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 16.04.2025

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

C.R.P.No.1560 of 2025

and

C.M.P.No.9122 of 2025

1.Padmavathy

2.Krishnaveni

...Petitioners

Vs.

1.Muniyammal

2.Sendrayan

3.Gandhimathi

4.Thirupathi

5. Anbalagan

6.Chinnusamy

7.Gunasekaran

8.The District Collector,
District Collector's Office,
Salem -I, Salem District

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9.The Revenue Divisional Officer,
Salem, Revenue Divisional Office,
Salem-5, Salem District.

10.The Tahsildar, Taluk Office,
Manakkadu, Hasthampatti
Salem-7, Salem District

11.The Village Administrative Officer,
Ammapettai Rural Village,
Ammapettai, Salem – 3,
Salem District

12.The No.1 Joint Sub Registrar, Salem East,
Integrated Registration Complex
Near Kailash Manasarovar CBSE School, Ammapet,
Salem-14, Salem District.

13.The District Registrar (Salem East)
Integrated Registration Complex
Near Kailash Manasarovar CBSE School, Ammapet,
Salem-14, Salem District.

...Respondents

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the Fair and Final orders dated 14.02.2025 passed in IA.No.2 of 2024 in OS.No.671 of 2023 on the file of the I Additional District Judge, Salem.



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For Petitioner : Mr.R.Nalliyappan

For Respondent : M/s.F.Wellington for R.7

: M/s. R.Siddharth, AGP for R.8 to R.13.

ORDER

The Civil Revision Petition is filed to set aside the Fair and Final orders dated 14.02.2025 passed in IA.No.2 of 2024 in OS.No.671 of 2023 on the file of the I Additional District Judge, Salem.

2. The learned counsel for the 7th respondent is present. He would submit that the 7th respondent has nothing to do with the suit property. However, nowhere in the counter statement such a specific plea has been taken and on the contrary the entire counter proceeds on the merit challenging the rights of the plaintiffs. Therefore, the 7th respondent appears to be a necessary party to the proceedings. However, the official respondents, namely, respondents 8 to 13 are neither necessary nor proper parties to the proceedings in a suit for partition.



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3. Therefore, the Civil Revision Petition is partly allowed. The order passed by the learned I Additional District Judge, Salem in IA.No.2 of 2024 impleading official respondents, namely, respondents 8 to 13 in the suit OS.No.671 of 2023 is set aside. In all other respect the order passed by the learned I Additional District Judge, Salem in IA.No.2 of 2024 is confirmed. No costs. Consequently, the connected Miscellaneous Petition is closed.

16.04.2025

shr

Index : Yes/No

Internet : Yes/No

Speaking Order/Non Speaking Order

To

The I Additional District Judge, Salem.



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P.T.ASHA, J.,

shr

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