



C.R.P. No. 1739 of 2024

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

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DATED: 07.08.2025

CORAM:

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

C.R.P. No. 1739 of 2024

and

C.M.P. No. 9163 of 2024

T. Karuppa Pillai

... Petitioner

Vs.

1.Ayyandurai

2.The District Collector,  
District Collector Office,  
Villupuram District.

3.The District Revenue Officer,  
Office of the Collectorate,  
Villupuram District.

4.The Revenue Divisional Officer,  
Revenue Divisional Office,  
Kallakurichi.

5.The Tahsildar,  
Thasildar Office,  
Kallakurichi Taluk,  
Villupuram District.



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6. The Village Administrative Officer,  
Village Administrative Office,  
Sadayampattu Village,  
Kallakurichi Taluk,  
Villupuram District.

... Respondents

**Prayer:** Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the fair and decretal order dated 01.02.2024 made in I.A. No. 1212 of 2019 in O.S. No. 122 of 2019 on the file of the I Additional District Munsif Court, Kallakurichi.

For Petitioner : Mr. N. Manoharan

For Respondents : Mr. V. Vadivalagia Nambi for R1  
Mr. D. Gopal,  
Government Advocate for R2 to R6

### **ORDER**

This Civil Revision Petition has been preferred challenging the order passed by the trial Court in allowing the impleading application in I.A. No. 1212 of 2019 in O.S. No. 122 of 2019 at the instance of the third party.

2. Heard Mr.N.Manoharan, learned counsel for the revision petitioner and Mr.V.Vadivalagia Nambi learned counsel for the first respondent.



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3. Learned counsel for the petitioner inviting my attention to the plaint relief and the array of parties in the said suit would submit that the third party would sought to implead himself had no iota or right, title or interest in the private property which is subject matter of the suit.

4. Mr.Manoharan, learned counsel for the revision petitioner, referring to the field map which is enclosed as a suit document, contends, firstly the proposed party has a direct access and there is no requirement to reach his lands only by accessing the petitioner's private lands and secondly, the proposed party has already disposed of the property that has been purchased by him based on which he sought for impleadment. The registered sale deeds are also produced by way of additional typed set of papers.

5. Learned counsel for the respondents would state that pursuant to an order in W.P.No.35752 of 2019 proceedings are pending before the District Collector and therefore, the first respondent is a proper and necessary party and no interference is warranted in the order of the trial Court.

6. I have carefully considered the submissions made by the learned



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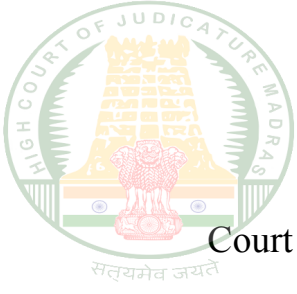
counsel on either side.

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7. As rightly contended by the learned counsel for the petitioner, Mr.Manoharan, insofar as the relief that has been prayed for by the petitioner as plaintiff in the said suit, the presence of the proposed party is neither necessary nor is he a proper party in order to assist the trial Court in adjudicating the issues that arise for consideration in the said suit. It is also an admitted position that the party who is now permitted to be impleaded as a defendant in the suit has already alienated the subject lands viz., registered sale deeds dated 13.06.2024 and 21.08.2024 and therefore, as on date, the first respondent has no subsisting interest in the subject land.

8. In view of the above, I do not see how the first respondent would be a proper or necessary party in order to assist the Court in effectively disposing of the suit and adjudicating the issue that arise for consideration in O.S. No.122 of 2019.

9. In view of the above, I am inclined to set aside the order of the trial



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Court dated 01.02.2024 made in I.A. No. 1212 of 2019 in O.S. No. 122 of 2019 on the file of the I Additional District Munsif Court, Kallakurichi.

10. Accordingly, this Civil Revision Petition is allowed.

Consequently, connected miscellaneous petition is closed. No costs.

**07.08.2025**

Index: Yes/No

Neutral Citation: Yes/No

AT

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**P.B.BALAJI,J.**

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