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CRP.No.4406 of 2025 and CMP.No.22591 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.09.2025

CORAM:

THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

CRP.No.4406 of 2025

and

CMP.No.22591 of 2025

M/s. Meenambakkam Realty Pvt. Ltd.,

Rep. by its Authorised Signatory,

No.1, Olympia Technology Park,

Sidco Industrial Estate, Guindy,

Chennai - 600 032.

... Petitioner / Petitioner / Defendant

Versus

1. Rajarao

... Respondent / 1st Respondent / Plaintiff

2. Airports Authority of India,

Rep. by its Director,

Chennai International Airport,

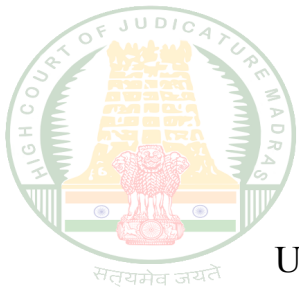
Chennai - 600 027.

... Respondent / 2nd Respondent / Defendant

Prayer:- Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the order dated 16.07.2025 passed by the learned XXI Assistant City Civil Judge, Chennai in I.A.No.1 of 2025 in O.S.No.4389 of 2024 and to allow the petitioner / defendant's petition under Order 1 Rule 10 CPC to implead the Airports Authority of India as a necessary and proper party to the suit.

For Petitioner

: Mr.M.V.V.N.Sivanthy



ORDER

Unsuccessful defendant has preferred the present Civil Revision Petition.

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2. The suit in O.S.No.4389 of 2024 on the file of the XXI Assistant City Civil Court, Chennai is filed seeking for directing the defendant to pay the sum of Rs.5,00,000/- towards compensation for the wrong done by the defendant together with interest at the rate of 18% p.a. from the date of plaint till the date of its realization to the plaintiff. The defendant has filed a written statement, and the suit is presently at the stage of framing issues. At this stage, the defendant filed an application in I.A.No.1 of 2025 under Order I Rule 10 of CPC to implead the Airports Authority of India, Chennai as a party to the suit. Upon hearing either side, the Court below dismissed the application *vide* order dated 16.07.2025 on the ground that the defendant has every right to examine the Airports Authority of India as a witness, if he is so advised, so as to clarify the standard operating procedures and its enforcement by calling the Airports Authority of India as a witness in the manner known to law. Aggrieved over the same, the revision petitioner has filed the present Civil Revision Petition.

3. The learned counsel appearing for the petitioner would submit that



the Court below erred in holding that the plaintiff being *dominus litis*, cannot be compelled to implead the Airports Authority of India (AAI), without appreciating that the issues in the suit directly arise from the contractual obligations and Standard Operating Procedures framed and enforced by the Airports Authority of India and the petitioner being a licensee of Airports Authority of India is bound to abide by the norms of Airports Authority of India as well as various Traffic Regulations approved by the Principal (i.e.) Airports Authority of India, under the Development Agreement dated 20.06.2018 entered into between the petitioner and the Airports Authority of India. Learned counsel further submits that in cases involving agency or contractual delegation, the principal is a necessary party to avoid multiplicity of proceedings, conflicting decisions and to ensure complete justice.

4. It is seen from the records that the suit is filed for damages against the defendant. It is seen from the plaint, the plaintiff is working as a Clerical staff at Airports Authority of India, Chennai and the plaintiff, usually, parked his vehicle in the parking area of working campus and take food in the Airports Authority of India staff canteen regularly and he is familiar with the canteen staff members since he is going there regularly. The plaintiff claims



that he is not liable to pay any fee for parking the vehicle in the parking area.

However, the defendant's personnel have compelled the plaintiff to pay Rs.100/- as penalty for parking of his vehicle. Since the plaintiff's vehicle was towed and he was compelled to pay parking fee, he was put to mental agony, loss and hardship and the plaintiff's reputation was tarnished in front of the people watching from the canteen and nearby area. Therefore, the defendant is, vicariously, liable to pay compensation for its personnel's civil wrong, rule and derogatory and illegal activity.

5. As rightly held by the Court below in paragraph No.12 of the impugned order, the revision petitioner has got every right to examine the proposed defendant as a witness, if so advised, and there is absolutely no need what so ever for the revision petitioner to file an Interlocutory application seeking the impleading of Airports Authority of India, Chennai as the second defendant. Though the defendant has raised an issue in the written statement with regard to non-jointer of the Airports Authority of India, Chennai as a party of the suit, the plaintiff has not chosen to add the Airports Authority of India, Chennai as a party. The Court below has rightly finds that the plaintiff cannot be compelled to add the Airports Authority of



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India, Chennai.

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6. In view of the above, there is no reason to interfere with the order passed in I.A.No.1 of 2025 in OS.No.4389 of 2024, dated 16.07.2025 on the file of the learned XXI Assistant City Civil Court, Chennai.

7. Considering the nature of the suit, the learned learned XXI Assistant City Civil Court, Chennai, shall dispose of the suit in O.S.No.4389 of 2024 as expeditiously as possible.

8. Accordingly, this Civil Revision petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

16.09.2025

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Index : Yes/No

Speaking order : Yes/No

Neutral Case Citation : Yes/No

M. JOTHIRAMAN, J.

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To

The learned XXI Assistant City Civil Court, Chennai

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