



CRP.No.229 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-10-2025

CORAM

THE HONOURABLE MR.JUSTICE S. SOUNTHAR

CRP.No.229 of 2024

and

CMP.No.1082 of 2024

B.Halsu

...
Vs.

Petitioner

- 1.Mr.B.Subban
- 2.Mr.N.Ranganathan
- 3.Mr.R.Karthick
- 4.Mr.Bomman @ B.Chandrasekaran
- 5.Mr.M.Manian
- 6.Mr.K.Chandrasekaran
- 7.The Executive Officer
Jegathala Town Panchayat,
Aruvankadu and Post
The Nilgiris.
- 8.The State of Tamil Nadu
Rep.by the Collector of Nilgiris,
Udhagamandalam and Post,
The Nilgiris.

...

Respondents

PRAYER: The civil revision petition filed under Article 227 of Constitution of India to set aside the fair and final order dated 23.11.2023 passed by the learned Subordinate Judge, Coonoor in I.A.No.5 of 2023 in O.S.No.200 of 2019.

For Petitioner

...

Mr.L.Mouli

For Respondent
Nos.1 to 6

...

Mr.R.Subramanian

For Respondent
Nos.7 & 8

...

Ms.Aswini Devi.K
Additional Govt. Pleader



CRP.No.229 of 2024

WEB COPY

ORDER

The revision petition is filed challenging the order passed by the trial Court dismissing the application filed by the petitioner seeking to implead the State of Tamil Nadu, the 8th respondent herein, as a party defendant in the suit.

2.The petitioner herein filed a suit seeking a declaration of title and consequential injunction against the respondents 1 to 7. The defendants filed a written statement claiming right under one Perattu Bellie. Therefore, the petitioner filed an instant application stating that the said Perattu Bellie had mortgaged the subject properties and the same were sold in a Court auction in favour of one Aristotle Chackona. Subsequently, the said Aristotle Chackona died issueless and hence, the properties were escheated in favour of the Government.

3.The petitioner herein has filed the suit for a declaration that he and his siblings along with mother are the owners of the properties and for consequential injunction. The petitioner has to prove his case independently dehors the defence set out by the defendants. The petitioner cannot succeed in the suit by weakening the defence set out by the defendants. In such circumstances, the trial Court rightly came to the



CRP.No.229 of 2024

conclusion that the proposed party need not be impleaded based on the defence raised by the defendants and the said order is not vitiated by any material irregularity or illegality.

4.Accordingly, the revision petition stands dismissed. No costs.
Consequently, connected miscellaneous petition is closed.

Index : Yes/No

28.10.2025

Internet : Yes/No

sms

To

1.The Subordinate Court,

Coonoor .

2The Executive Officer

Jegathala Town Panchayat,

Aruvankadu and Post

The Nilgiris.

3.The State of Tamil Nadu

Rep.by the Collector of Nilgiris,

Udhagamandalam and Post,

The Nilgiris.



WEB COPY



CRP.No.229 of 2024

S. SOUNTHAR,J.,

sms

CRP.No.229 of 2024
and
CMP.No.1082 of 2024

28.10.2025