



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Reserved on:16.06.2025

Pronounced on: 27.06.2025

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CORAM

THE HONOURABLE MR.JUSTICE P.B.BALAJI

**CRP. PD. No.16 of 2025
and CMP. No.114 of 2025**

K.Nandagopal

Petitioner(s)

Vs

- 1.Santhanakumar
- 2.The Tahsildar,
Maduranthagam.
- 3.The Revenue Divisional Officer,
Maduranthagam.
- 4.The District Collector,
Chengalpattu.

Respondent(s)

PRAYER: This Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order dated 22.07.2024 passed in I.A. No.4 of 2022 in O.S. No.35 of 2022 on the file of learned District Munsif at Maduranthagam.

For Petitioner : Mr.T.Sivagnana Sambandam

For Respondents : Mr.K.Govi Ganesan for R1
Mr.P.Gurunathan,
Additional Government Pleader
for R2 to 4

**ORDER**

This revision petition is at the instance of the proposed 4th defendant who had taken out I.A. No. 4 of 2022 seeking impleadment of the revision petitioner as the 4th defendant.

2. I have heard Mr.T.Sivagnana Sambandam, learned counsel for the petitioner and Mr.K.Govi Ganaesan, learned counsel for the first respondent and Mr. P.Gurunathan, learned Additional Government Pleader for respondents 2 to 4.

3. The learned counsel for the petitioner would state that the petitioner sought to implead himself as the defendant in a vexatious suit filed by the 1st respondent/plaintiff for permanent injunction as against the respondents 2 to 4. The learned counsel for the petitioner would state that the 1st respondent claims the suit property to be his ancestral property and that he is trying to misuse his official power to make use of the Court to grab Inam lands. The learned counsel would further state that the revision petitioner/proposed 4th defendant has been in possession and enjoyment of agricultural lands and there is a pathway and the lands in particular Survey Numbers are being used by the petitioner to reach his land and carry out cultivation activities. The learned counsel further states that besides the petitioner, villagers are also using the said lands to access their respective



agricultural lands. He would therefore state that the petitioner is a proper and necessary party to bring to light true facts before the Court.

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4. Per contra, Mr.K.Govi Ganaesan, learned counsel for 1st respondent/ plaintiff states that the suit is filed only for a bare injunction to protect and safeguard the plaintiff's property and the revision petitioner is neither a proper nor necessary party in the said suit and he would state that the Trial Court has rightly dismissed the Application and the same does not warrant interference.

5. I have carefully considered the submissions advanced by the learned counsel on either side.

6. The petitioner sought impleadment as the 4th defendant in the suit for permanent injunction filed by the 1st respondent as against the respondents 2 to 4. The case of the petitioner is that lands in particular Survey Numbers in the village and the suit survey number mentioned by the first respondent are being used as common way for ingress and egress of villagers to reach their respective agricultural lands and seeks impleadment to throw light on these issues. It is not the case of the revision petitioner that he owns the subject suit Survey Numbers. He only wants to implead himself to expose the attempts of land grabbing indulged by the first respondent.



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7. The Trial Court has rightly followed the ratio laid down by our Court in *Antony Devaraj and another vs Aralvaimozhi (Kurusadi) Devasahayam Mount Dor and Thuya Viagula, Annai Church, represented by the Trustee and others* reported in (2004) 2 MLJ 111 and held that the petitioner's presence is not necessary to enable the Court to effectively and completely adjudicate the questions involved in the suit. Even assuming the petitioner's interest is going to be prejudiced, since he is not a party to the suit, he will not be bound by the judgment to be passed in the said suit and therefore, even this ground is not available to the revision petitioner. All the contentions of the revision petitioner have been discussed and rightly met by the Trial Court while proceeding to dismiss the Application seeking impleadment. I do not find any error or infirmity in the order passed by the Trial Court.

8. Accordingly, this Civil Revision Petition is dismissed. Consequently, connected Miscellaneous Petition is also dismissed. No costs.

27.06.2025

rkp

Index : Yes / No

Internet : Yes / No



To:

1.The Tahsildar,
Maduranthagam.

2.The Revenue Divisional Officer,
Maduranthagam.

3.The District Collector,
Chengalpattu.

4.The District Munsif,
Maduranthagam.



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P.B.BALAJI, J.,

rkp

Pre-delivery order in
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