



WEB COPY

CRP No.5153 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-10-2025

CORAM

THE HONOURABLE MR.JUSTICE S. SOUNTHAR

**CRP No. 5153 of 2025 and
CMP No.25985 of 2025**

1. A.Jayaraman

New No.14, Old No.6,

Bomu Chetty Street, Park Town,

Chennai-600003

Petitioner(s)

Vs

1. A.Manicka Chettiar and

Kanniammal Dharma

Paripalana Sasanam, Rep. by its

Trustee, K.Elangovan, Old No. 12,

New No. 1, West Street, Sriram Nagar,

Alwarpet, Chennai-18.

2.The Commissioner of HR and CE

Hindu Religious and Charitable

Endowments 119, Uthamar Gandhi

Salai, Thousand Lights West,

Nungambakkam, Chennai-34.

3.Padmavathy

New No. 14, Old No. 6, Bomu Chetty

Street, Park Town, Chennai-03.

Respondent(s)



PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India to set aside the order dated 28.08.2025 passed in I.A.No.2/2025 in O.S.No.521/2020 by the XVI Assistant City Civil Court, Chennai and implead the 2nd respondent/proposed party as the 3rd respondent in the said suit.

For Petitioner(s): Mr. T.Sundar Tajan

For Respondent(s): Mr.N.Muthuvel, Govt.Adv.
for 2nd respondent

ORDER

This civil revision petition is filed, challenging the order passed by the court below, dismissing the application filed by the petitioner/first defendant and the second defendant to implead the Commissioner of HR & CE Department as party defendant in the suit in O.S.No.521 of 2020.

2. The first respondent herein/plaintiff filed the above said suit for ejectment against the defendants and for recovery of arrears of rent. The plaint was filed by the first respondent Trust, represented by its Trustee Elangovan. The said suit was resisted by the petitioner/defendants by filing written statement. The instant application has been filed by the defendants seeking impleadment of the Commissioner of HR & CE department on the ground that the suit property belongs to the Public Religious Trust and therefore, the Commissioner of HR & CE Department is a necessary party. The said application was dismissed by the court below and aggrieved by the same, the



petitioner has come before this court.

WEB COPY

3. The learned counsel for the petitioner would submit that the first respondent/ plaintiff Trust is a Public Religious Charitable Trust and therefore, the Commissioner of HR & CE Department, who is the statutory authority, shall be impleaded as a party to the suit.

4. Heard the learned counsel for the petitioner and the learned Government Advocate, appearing for the HR & CE Department.

5. The suit has been filed by the first respondent/plaintiff against the petitioner/defendants seeking vacant possession of the suit schedule property in favour of the Trust. In the plaint itself, it is clearly mentioned that the respondent/plaintiff is a Public Religious Trust and it was duly represented by the Trustee. The learned counsel for the petitioner submits that the person, claiming himself as trustee, is not a trustee of the Trust. Therefore, the HR & CE Department shall be impleaded.

6. It is settled law that in respect of Public Religious Trust, only the Trustees are competent to file a suit for recovery of possession of the property. The Commissioner of HR & CE department is only a supervisory authority under the relevant statute. Hence, his presence is not at all necessary to decide



the controversy in the suit. However, it is always open to the petitioner to resist the suit that the first respondent/plaintiff is not properly represented by a competent person.

7. With the above clarification, this civil revision petition is dismissed, confirming the impugned order passed by the court below. There shall be no order as to costs. Connected miscellaneous petition is closed.

29-10-2025

Internet: yes

Index: Yes/No

Neutral citation: Yes/No

MST

To

The District Munsif Court,
Ponneri.



WEB COPY

CRP No.5153 of 2



S.SOUNTHAR J.

MST

CRP No.5153 of 2025

29-10-2025