



CRP No.5363 of 20__

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.12.2025

CORAM

THE HONOURABLE MR JUSTICE P.B.BALAJI

CRP.No.5363 of 2025

and

CMP.No.26942 of 2025

K.Kuppusamy

... Petitioner

Vs.

M.Periasamy

... Respondent

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the Fair and Final Order dated 21.01.2025 passed in I.A.No.14 of 2022 in I.A.No.47 of 2019 in C.M.A.No.08 of 2001 on the file of Sub Court, Udumalpet, Tiruppur District and allow the above Civil Revision Petition.

For Petitioner : Mr.P.Navaneetha Krishnan

For Respondent : No appearance



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ORDER

The respondent, despite service of notice in the Revision has not chosen to appear.

2. Heard Mr.P.Navaneetha Krishnan, learned counsel for the revision petitioner.

3. The learned counsel for the revision petitioner would submit that an application filed by the petitioner to implead himself in CMA.No.08 of 2001 on the file of the Sub Court, Udumalpet, Tiruppur District, has been dismissed an erroneous consideration of facts as well as law.

4. The learned counsel for the petitioner brings my notice that the General Power of Attorney is a registered document executed by the land owners in favour of the revision petitioner. In the said power of attorney, the principals have specifically empowered the Power Agent to receive the compensation that is payable to the land owners under Land Acquisition proceedings.

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5. The learned counsel also brings my notice that the Land Acquisition proceedings were infact contested only by the revision petitioner as Power Agent and upto this Court it was only the petitioner who contested the proceedings and ensured that just compensation is paid for the property. However, it is the contention of Mr.P.Navaneetha Krishnan, learned counsel that after the amount was deposited, the land owners have, without notice to the Power Agent, had proceeded to cancel the power of attorney to deprive the power of attorney from enjoying the benefits of the compensation amount, which is payable only to him, and filed I.A.No.47 of 2019 to implead themselves in CMA.No.08 of 2001 where the compensation amount has been deposited by the State, pursuant to the matter attaining finality before this Court.

6. The petitioner sought to implead himself in I.A.No.47 of 2019 which has been filed to implead the land owners/(principals) directly bypassing the interest of the Power Agent. The said application has been now dismissed by the First Appellate Court. As against the same, the present Revision Petition has been filed.



7. The learned First Appellate Court has held that the petitioner is not a proper and necessary party, since power of attorney has been cancelled. I do not find that the issue could have been decided in such a simple fashion. The Court ought to have seen that the Power Agent had been empowered to even receive the compensation amounts and at this stage, to release the Power Agent who represented the principals upto this Court and taking advantage of the fact that subsequently the compensation amount had been deposited to the credit of the CMA, the principals have come to Court and without notice to the petitioner, the land owners had cancelled the power of attorney and attempted to have the compensation amount paid out to them. It is only in this backdrop that the petitioner sought to implead himself.

8. The issues regarding whether the land owners are entitled to compensation and whether the power of attorney was validly terminated are all to be gone into before the amount of compensation is paid out, especially, since pursuant to the power of attorney empowering the petitioner to receive the compensation, it was only the Power Agent/Revision Petitioner who had contested the proceedings and not the land owners.



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9. In view of the above, the Appellate Court ought to have allowed the application and granted an opportunity to the petitioner to participate in the proceedings relating to the request of the land owners for payment of the compensation amount. The petitioner ought to have been given an opportunity to put forth his contentions regarding his entitlement to the compensation amount deposited before the Court.

10. In the light of the above, I am inclined to set aside the order passed by the First Appellate Court in I.A.No.47 of 2019. This Civil Revision Petition is allowed. The Sub Court, Udumalpet, Tiruppur District, shall allow both the land owners as well as the Power Agent to implead themselves in CMA.No.08 of 2001 and thereafter. after hearing their respective claims and objections in CMA.No.08 of 2001, entitlement of the parties for payment shall be decided, in accordance with law, within a period of three months from the date of receipt of a copy of this order. No costs. Consequently, connected Miscellaneous Petition is closed.

19.12.2025

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Index :yes/no
Internet :yes/no
Neutral Citation :Yes/No
Speaking/Non-Speaking Order

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P.B.BALAJI.,J.

dna

To

The Sub Court, Udumalpet, Tiruppur District.

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