



C.R..P.(PD)(MD).No.61 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

C.R.P(PD)(MD)No.61 of 2025

and

C.M.P(MD) No.348 of 2025

Pothiraja

... Petitioner/
1st Respondent/
Plaintiff

Vs.

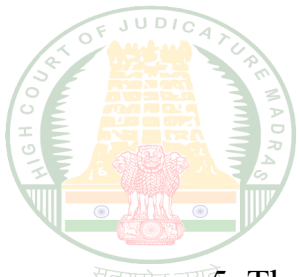
1. Thakkar,
Thivan Ramasamy Iyer Annachatram,
At Present Executive Officer,
Arulmigu Kalyana Sundareswarar Thirukovil,
Avaniyapuram, Madurai.

... 1st Respondent/
Petitioner/
Proposed Defendant

2. The Inspector,
Solavanthan Avaniyapuram
Ramasamy Ayyar Annathana Chatram,
Madurai District.

3. The District Collector,
Madurai.

4. The District Revenue Officer,
Madurai.



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5. The Tahsildar,
Vadipatti,
Kallanai Village,
Madurai District.

... Respondents 2 to 5/
Respondents 2 to 5/
Defendants 1 to 4

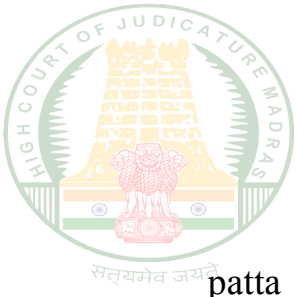
PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India, to set aside the order dated 01.07.2024 passed in I.A.No.8 of 2024 in O.S.No.47 of 2023 on the file of the District Munsif Court, Vadipatti, Madurai District.

For Petitioner : Mrs.M.Rajeswari
For R1 : Mr.Ramesh Mahadev
For R2 to R5 : Mr.S.P.Maharajan
Special Government Pleader

ORDER

The plaintiff in O.S.No.47 of 2023, on the file of the District Munsif Court, Vadipatti, Madurai District, is the revision petitioner herein.

2. The above said suit was filed for the relief of declaration that the suit schedule property belongs to the plaintiff and for permanent injunction not to disturb their possession. They have further prayed for cancellation of the order of the District Revenue Officer, Madurai, dated 07.12.2022, wherein the



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patta standing in the name of the plaintiff was mutated in the name of Sholavanthan Avaniyapuram Ramasamy Ayyar Annathana Chatram.

3. Pending suit, the first respondent herein had filed I.A.No.8 of 2024 to implead himself as one of the defendants in the suit. It is contended in the affidavit filed in support of I.A.No.8 of 2024 that the proposed party, who is the Executive Officer of Arulmigu Kalyana Sundareswarar Thirukovil, Avaniyapuram, Madurai, has been appointed as the Thakkar of the Annachathram and therefore he is also a necessary party to the suit. The said application was resisted by the plaintiff on the ground that the same Annathana Chathram is already represented by the Inspector and therefore, it is not necessary to implead the Thakkar of the said Annathana Chathiram also.

4. The trial Court, after considering the submissions on either side has allowed the said application on the ground that both parties claim direct interest in the subject matter of suit. Therefore, the proposed defendant is a necessary party to prevent further litigation. This order is put to challenge in the revision petition.



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5. According to the learned counsel appearing for the revision petitioner, the Annathana Chathram can be represented by, only one defendant. For the same defendant, the Inspector as well as the Thakkar cannot be impleaded.

6. A perusal of the records reveal that until a Thakkar/fit person appointed to the Annathana Chathram, the Inspector was taking care of the properties of the Annathana Chathram. The Inspector alone had approached the District Revenue Officer, Madurai for mutating the revenue records in favour of the Annathana Chathram. Now a competent person has been appointed as a Thakkar and in such circumstances, his presence is required for the purpose of proper adjudication of the dispute.

7. The learned Special Government Pleader appearing for the official respondents submitted that once Thakkar is appointed to Annathana Chathram, he alone have the power and jurisdiction to represent the said Annathana Chathram.



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8. Considering the above said facts, this Court is convinced that the Thakkar of the Annathana Chathram is not only a proper but also a necessary party to the suit. Therefore, the trial Court has rightly impleaded the fit person (Thakkar) and there are no merits in this Civil Revision Petition.

9. Accordingly, this Civil Revision Petition stands dismissed. There shall be no order as to costs. Consequently connected Miscellaneous Petition stands closed.

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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- To
1. The District Munsif Court,
Vadipatti, Madurai District.
 2. The Section Officer,
Vernacular Records,
Madurai Bench of Madras High Court,
Madurai.
 3. The Inspector,
Solavanthan Avaniyapuram
Ramasamy Ayyar Annathana Chatram,
Madurai District.
 4. The District Collector,
Madurai.
 5. The District Revenue Officer,
Madurai.
 6. The Tahsildar,
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