



C.R..P.(PD)(MD).No.661 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

C.R.P(PD)(MD)No.661 of 2025

Santhiyagu

... Petitioner/
Petitioner/Plaintiff

Vs.

1. S.Selvanayagam

2. S.Baskaran

3. A.Edwin Prabhu

4. S.John Peter

5. T.Selvarasu

6. S.Savarimuthu

7. T.Gnanaprakasam

8. Beno Alexandar

... Respondents/Respondents/
Defendants

9. Geetha Rani
Revenue Tahsildar,
Office of the Revenue Tahsildar,
Manapparai Taluk,
Tiruchirappalli District.



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10. Hemalatha

Vaiyampatty Revenue Inspector,
Manapparai Taluk,
Tiruchirappalli District.

11. Rajamanikam

Kumaravadi Village Administrative Officer,
Thoppanaikampatty,
Manapparai Taluk,
Tiruchirappalli District.

12. Geethamani

W/o.V.Mani,
Kumaravadi Village Panchayat President,
Thoppanaikampatty,
Vaiyampatty (Via)
Manapparai Taluk,
Tiruchirappalli District.

13. V.Mani

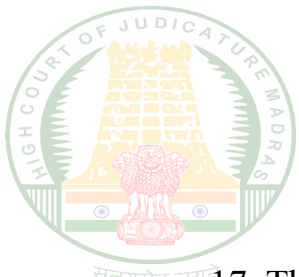
14. Perumal

15. William

Special Sub Inspector of Police,
Vaiyampatty Police Station,
Vaiyampatty – 621 315,
Manapparai Taluk,
Tiruchirappalli District.

16. Michael Desosa,

Police Constable,
Vaiyampatty Police Station,
Vaiyampatty – 621 315,
Manapparai Taluk,
Tiruchirappalli District.



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17. Thangavel
Police Constable,
Vaiyampatty Police Station,
Vaiyampatty – 621 315,
Manapparai Taluk,
Tiruchirappalli District.

... Respondents/
Proposed Respondents

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India, against the order dated 08.12.2022 made in I.A.No.03 of 2022 in O.S.No.181 of 2022 on the file of the learned Principal District Munsif, Manapparai, Tiruchirappalli District.

For Petitioner : Mr.T.M.Madasamy

For Proposed
Respondents : Mr.S.P.Maharajan
Special Government Pleader

ORDER

The plaintiff in O.S.No.181 of 2022 on the file of the Principal District Munsif Court, Manapparai, Tiruchirappalli District, has filed the present Civil Revision Petition, challenging the order of the trial Court in I.A.No.03 of 2022, wherein the trial Court has dismissed the application filed by the plaintiff to implead the Revenue and Police officials.



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2. A perusal of the records reveal that the said suit has been filed by the plaintiff seeking permanent injunction as against 8 private parties, for an extent of 1 $\frac{3}{4}$ cents in S.No.338/12 in patta No.210 in Kumaravadi Village, Manapparai Taluk, Tiruchirappalli District. Pending suit, the plaintiff had filed I.A.No.3 of 2022 alleging that the proposed parties, namely, Revenue, Police Officials and Panchayat President have interfered in the possession with regard to the suit schedule property. He filed an application to implead them in the suit as defendants. The said application was dismissed by the trial Court on the ground that the Government Officials have initiated action only with regard to Survey No.338/3 and not with regard to S.No.338/12. Challenging the same, the present Civil Revision Petition has been filed.

3. According to the learned counsel appearing for the revision petitioner, since disturbance was made by the some of the officials, they are necessary parties to the suit and hence, the present application has been filed to implead them.



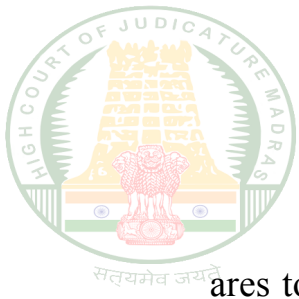
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4. The learned Special Government Pleader appearing for the proposed official respondents had filed a report to the effect that the plaintiff is only entitled to an extent of 0.0071 ares in S.No.338/12. However, the plaintiff had encroached upon S.No.338/3. In such circumstances, the officials have initiated action to a deep pit made by the plaintiff based upon the complaint lodged by the villagers. The learned Special Government Pleader further pointed out that notice under Section 7 of Land Acquisition Act, was issued to the revision petitioner and since no reply was submitted, they have also issued an Order under Section 6 of Land Acquisition Act, on 03.10.2022 directing the revision petitioner to clear the encroachment. Since the order was not complied with, the officials have initiated action to close the deep pit in S.No.338/3. Therefore, the official proposed parties have not disturbed the possession of the plaintiff in the suit survey number. In such circumstances, they are not necessary party.

5. Heard both sides and perused the material on records.

6. The contention of the official respondents would clearly reveal that they are not disturbing the possession of the plaintiff with regard to 0.0071



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ares to an extent of land in S.No.338/12. In such circumstances, they are not necessary parties to the suit. The trial Court has rightly dismissed the impleading application and there are no merits in the Civil Revision Petition.

7. Accordingly, this Civil Revision Petition stands dismissed. There shall be no order as to costs.

12.03.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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To

1. The Principal District Munsif Court,
Manapparai,
Tiruchirappalli District.
2. The Section Officer,
Vernacular Records,
Madurai Bench of Madras High Court,
Madurai.



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R.VIJAYAKUMAR,J.

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