



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 09.07.2025

CORAM

THE HON'BLE MR. JUSTICE M.DHANDAPANI

C.R.P.[PD](MD)No.1879 of 2025

and

C.M.P.(MD)No.10399 of 2025

Velama Educational and Charitable Trust
Represented by its Chairman (Advisory Committee),
A.Shanthakumar @ Venkataramanujam

...Petitioner

Vs.

1.Velama Naidu Mahajana Sangam Tamil Nadu,
Represented by its Secretary, G.Gopalakrishnan

2.R.R.Rajendran

...Respondents

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India to call for the records relating with the ex-order and fair order dated 19.07.2023 made in I.A.No.731 of 2022 in O.S.No.1445 of 2015 on the file of the learned Principal Sub Judge, Madurai and allow the Civil Revision Petition by setting aside the order passed in I.A.No.731 of 2022 in O.S.NO.1445 of 2015.



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For Petitioner

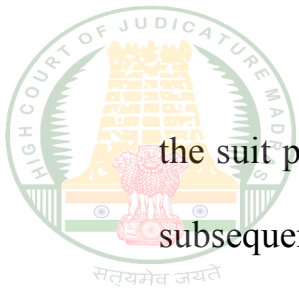
: Mr.K.Vijayanand

ORDER

This Civil Revision Petition has been filed seeking to set aside the order dated 19.07.2023 passed in I.A.No.731 of 2022 in O.S.No.1445 of 2015 on the file of the learned Principal Sub Judge, Madurai.

2. The first respondent, Tamil Nadu Velama Naidu Mahajana Sangam, filed the original suit seeking declaration of title and recovery of possession from the second respondent. During the pendency of the suit, the petitioner filed an interlocutory application in I.A.No.731 of 2022 under Order I Rule 10(2) read with Section 151 CPC seeking impleadment of the Velama Educational and Charitable Trust. The trial Court dismissed the impleading petition on 19.07.2023. Challenging the same, the present petition has been filed.

3. The learned counsel appearing for the petitioner would submit that the original Association (first respondent) was merged with Madurai Maanagar Velama Naidu Sangam on 12.10.2015, and all assets and liabilities stood transferred to the latter. Subsequently, through General Body Resolution dated 08.05.2016, the suit property was transferred to the Velama Educational and Charitable Trust on 14.12.2016, which is now in possession and enjoyment of



the suit property. The present suit was filed without disclosing the merger and subsequent transfer, and the petitioner seeks impleadment to bring these facts to the Court's attention. It was further observed that the suit was originally filed in 2015, and the impleading petition was filed only in 2022, nearly 7 years later, raising suspicion of delay tactics.

4. The right to implead a party under Order I Rule 10(2) is discretionary and is to be exercised judiciously based on the stage of proceedings and the necessity of such party for a proper adjudication of the suit. In the present case, now the case was posted for defendant side evidence. The petitioner, claiming under subsequent transaction, has no direct cause of action in the original dispute and can pursue independent remedy if required. Further, impleading such a party at the final stage would unduly delay the proceedings already pending for more than a decade.

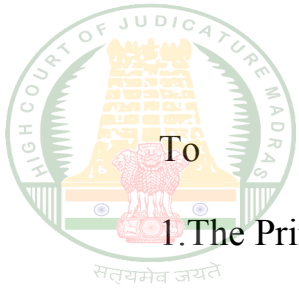
5. In view of the above discussion, this Civil Revision Petition is dismissed. No costs. Consequently, the connected miscellaneous petition is also closed.

09.07.2025

Internet:Yes/No

Index:Yes/No

TSG



To

1.The Principal Sub Court, Madurai.

2.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI, J.

TSG

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