

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.08.2025

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THE HON'BLE MR.JUSTICE M.DHANDAPANI

C.R.P (MD)No.2370 of 2022

and

CMP (MD)No.11464 of 2022

K.Vidiyasankar : Revision Petitioner/
Petitioner/1st Respondent/
1st Plaintiff

Vs.

1.S.Ganammal : 1st Respondent/Petitioner/
Proposed 9th Defendant

2.K.G.Venkatraman

3.K.S.Ganesh

4.K.R.Sriram

: Respondents 2 to 4/
Respondents 2 to 4/
Plaintiffs 2 to 4

5.K.C.Krishnan

6.Soundararajan

7.Balamurugan

8.Soundarajan

9.The Sub Registrar,

No.1, Joint Sub-Registrar Office,
Palani, Dindigul District.

10.K.R.Sundaram

11.Munneswaran

12.C.Ramasundaram

: Respondents 5 to 13/
Respondents 5 to 12/
Defendants 1 to 8

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, against the fair and decreetal order made in IA No.5 of 2022 in OS No.80 of 2018, dated 12/07/2022 on the file of the District Munsif Court, Palani.



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For Petitioner : Mr.S.Kumar
For 1st Respondent : Mr.N.Shyllappa Kalyan
For R2 to R5,
R7 to R9, R11 : No appearance
For R6 and R10 : Died
For 12th Respondent : Batta Due

O R D E R

This revision petition has been filed challenging the fair and decreetal order made in IA No.5 of 2022 in OS No.80 of 2018, dated 12/07/2022 on the file of the District Munsif Court, Palani.

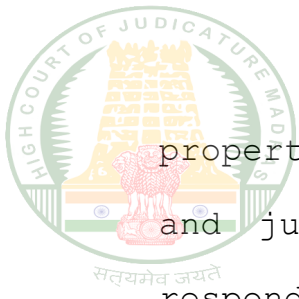
2.The learned counsel appearing for the petitioner would submit that the petitioner is the 1st plaintiff in OS No.80 of 2018 on the file of the District Musif Court, Palani. Initially, he along with others filed the suit with a prayer for declaration, declaring that the sale agreement, dated 20/11/2017 registered before the Joint-I Sub Registrar, Palani as document No. 2436/2017 is not valid, not binding on the plaintiffs and void *ab-initio* and for consequential injunction against the defendants 1 to 4. However, the Joint Sub Registrar, Palani has added as 5th defendant and 6th defendant also added on the simple ground that the 6th defendant and the

<https://www.mhcn.gov.in/judis> are the legal heirs of the the property owned



by their ancestors. However, subsequently the 6th defendant died and thereafter, a memo was filed by the plaintiffs before the trial court stating that the 6th defendant is unnecessary party and his name may be removed under the impression that the patta was standing in the name of the 6th defendant's father and not in the name of the 6th defendant. Originally, patta was standing in the name of one Krishna Iyer and not in the name of the father of the 6th defendant and thereby, that memo was allowed by the trial court and hence, the 9th proposed defendant is unnecessary party in the suit; however, the trial court allowed the IA No.5 of 2022 and the first respondent herein is added as the 9th defendant in the suit and therefore, prayed for allowing this revision.

3.Per contra, the learned counsel appearing for the first respondent/proposed 9th defendant would submit that admittedly, the first respondent's husband was added as a party 6th defendant in the suit and subsequently, by way of memo, his name was removed and immediately thereafter, she filed IA No.5 of 2022 for impleading herself to represent the erstwhile 6th defendant and that the plaintiffs have known that the first respondent herein also taken effective steps to include her name in the place of her husband in patta No.3403 and the suit



property also relates to Patta No.3403 and if any decree and judgment is passed behind the back of the first respondent, it will affect her right and therefore, the trial court allowed the IA filed by the first respondent and hence, no prejudice is caused to the plaintiffs and therefore, prays that the civil revision is liable to be dismissed.

4.It is seen that the the petitioner along with the respondents 2 to 4 filed OS No.80 of 2018 on the file of the District Musif Court, Palani, for declaration. Subsequently, the 6th defendant died and thereafter, the plaintiffs filed a memo before the trial court stating that the 6th defendant is unnecessary party and his name may be removed under the impression that the patta was standing in the name of the 6th defendant's father and not in the name of the 6th defendant and that memo was allowed by the trial court. However, the 1st respondent herein filed IA No.5 of 2022 to implead herself as the 9th defendant in the suit. Admittedly, the first respondent's husband was added as a party 6th defendant in the suit and subsequently, by way of memo filed by the plaintiffs, his name was removed and immediately thereafter, the 1st respondent herein filed IA for impleading herself to represent the erstwhile 6th defendant and she has also



taken effective steps to include her name in the place of her husband in patta No.3403. The suit property also relates to Patta No.3403. Considering all these aspects, the trial court has rightly allowed the IA No.5 of 2022 filed by the first respondent, which do not require any interference of this court.

5.In view of the above, this civil revision petition is **dismissed**. However, liberty is given to the petitioner as well as the 1st respondent to take all defenses before the trial court in the manner known to law. No costs. Consequently connected Miscellaneous Petition is closed.

08.08.2025

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

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To

- 1.The District Munsif,
Palani, Dindigul District.
- 2.The Section Officer,
VR/ER Section,
Madurai Bench of Madras High Court,
Madurai.

M.DHANDAPANI, J.



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