



C.R.P.(PD)(MD).No.2400 of 2022

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DATED: 03.02.2025

CORAM

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

C.R.P.(PD)(MD).No.2400 of 2022
and CMP(MD).No.11594 of 2022

- 1.K.K.Karuppasamy (died)
 - 2.Santhanakaruppasamy
 - 3.M.Meenammal
 - 4.K.Paranthaman
- ... Petitioners

-VS-

- 1.V.G.Ramdoss
- 2.V.G.R.Vasuki
- 3.V.G.R.Latcham @ Lakshminarayanan
- 4.V.G.R.Kesirapathinath
- 5.The Branch Manager
Canara Bank
Thallakulam Branch
Madurai
- 6.K.Saraswathi
- 7.K.Annadurai
- 8.K.Thangasamy(died)
- 9.K.Maharajan
- 10.K.Dhanabackiyalakshmi
- 11.K.Selveeswari



C.R.P.(PD)(MD).No.2400 of 2022

12.The Divisional Engineer
Tamil Nadu Electricity Board
Now TANGEDCO
Samayanallur
Madurai District

13.The Assistant Engineer
Tamil Nadu Electricity Board
Now TANGEDCO
Samayanallur
Madurai District

14.T.Rajathi

15.T.Santhanakrishnan

16.T.Rajalakshmi

17.T.Kalaiselvi

....Respondents

PRAYER: The Civil Revision Petition has been filed under Article 227 of Constitution of India, to allow this civil revision petition by setting aside the fair order and decreetal order made in I.A.No.83 of 2022 in O.S.No.25 of 2011 dated 26.10.2022 on the file of the District Munsif Court, Vadipatti.

For Petitioners : Mr.M.Thirunavukkarasu
For Respondents : No appearance for R1, R2, R4 to R7
R9 to R11, R14 & R17
:Mr.H.Arumugam for R3
:Mr.B.Ramanathan
Standing Counsel for R12 & R13



C.R.P.(PD)(MD).No.2400 of 2022

WEB COPY

ORDER

The present civil revision petition has been filed by the plaintiffs in O.S.No.25 of 2011 on the file of the District Munsif Court, Vadipatti challenging the dismissal of an application filed under Order 1 Rule 10 of C.P.C.

2.The plaintiffs have filed the above said suit for declaration of title, permanent injunction and for a declaration that the sale deed dated 11.02.2008 executed by the first defendant in favour of the defendants 2 to 4 and the agreement of deposit of title deeds dated 26.06.2009 are invalid, null and void and vitiated by fraud.

3.Pending suit, the plaintiffs have filed I.A.No.83 of 2022 in order to implead the officials of the electricity board on the ground that the defendants are attempting to get service connection to the suit schedule property projecting themselves to be the owner of the property.

4.The defendants have filed a written statement contending that they are in possession of the property and Electricity Board is not a necessary party to decide the title and possession of the property.



C.R.P.(PD)(MD).No.2400 of 2022

5.The trial Court after considering the submissions made on either side, has arrived at a finding that the proposed parties are not necessary parties to decide the lis arising out of the said suit. Hence, the present civil revision petition has been filed.

6.According to the learned counsel for the revision petitioners, the defendants in the suit are relying upon two documents which are invalid in the eye of law and project themselves to be owner of the property in order to get free agricultural service connection to the suit schedule property. Unless the electricity officials are impleaded in the suit as additional defendants, they would be put to great hardship.

7.On the other hand, the learned counsel for the respondents submits that they are not necessary parties to the said suit.

8.I have considered the submissions made on either side and perused the material records.

9.As could be seen from the prayer in the plaint, the suit is for declaration of title, permanent injunction and for declaration that certain documents are invalid in the eye of law. In such circumstances, impleading of Electricity Board officials in the said suit is not necessary. In case, if the plaintiffs succeed in the suit, they always at liberty to approach the



C.R.P.(PD)(MD).No.2400 of 2022

Electricity Board officials for disconnecting the service connection.

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10. With the above said observations, this civil revision petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

03.02.2025

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

1. The District Munif, Vadipatti
2. The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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R.VIJAYAKUMAR, J

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C.R.P.(PD)(MD).No.2400 of 2022
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03.02.2025