



CRP(MD), No.2545 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 24.09.2025

CORAM

THE HONOURABLE MR. JUSTICE K.KUMARESH BABU

C.R.P(MD). No.2545 of 2025

and

C.M.P.(MD)No.15128 of 2025

1. Remisha

2. Arul Prathap Singh

... Petitioners

Vs.

1. Sundaram,

2. Ruban Dhas

3. Devanesan

... Respondents

PRAYER :- Civil Revision Petition filed under Article 227 of the Constitution of India, to allow the C.R.P.setting aside the order and decretal order dated 11.07.2025 in I.A.No.7 of 2025 in O.S.No.176 of 2014 on the file of the learned Additional District Munsif Court, Padmanabhapuram.

For Petitioners : Mr.G.Cenil

ORDER

The instant civil revision petition has been filed challenging the order dated 11.07.2025 in I.A.No.7 of 2025 in O.S.No.176 of 2014 on the file of the Additional District Munsif, Padmanabhapuram.



CRP(MD), No.2545 of 2025

WEB COPY

2. The learned counsel for the petitioners submits that in a suit filed by the first respondent as against the respondents 2 and 3 they sought to be impleaded themselves and on the strength of the pendency of the suit, the respondents are attempting to put up construction in the suit property, which would affect the interest of the petitioners. Therefore, they had filed an application to implead themselves as proposed defendants in the suit. But, however, without considering the rights of the petitioners in the schedule property, the trial Court had dismissed the application by holding that the application had been filed belatedly; and that the suit has been pending for more than 10 years. He further submits that such reasons cannot defeat the right of the petitioners, to substantiate the right in the suit property. Therefore, he prays that this Court indulge in the orders passed and permit the petitioners to be impleaded as party defendants in the suit.

3. I have considered the arguments advanced by the learned counsel for the petitioners and perused the materials available on record.



CRP(MD), No.2545 of 2025

WEB COPY

4. The claim is made by the petitioners is that suit schedule property had been interfered with by the third respondent / defendant in the present case. The first respondent had filed a suit as against the respondents 2 and 3 for the relief of demarcating the western boundary of item -I of plaint A schedule and northern boundary of item No.II of plaint A schedule property and to put up a boundary by way of barbed wire fence at the expenses of the plaintiff. It is not the case of the petitioners that it is the plaintiff also on the strength of the suit tries to make certain improvements on the suit property. It is the case of the petitioners that it is the third respondent, who is one of the defendants in the suit, who is attempting to interfere with the right of the petitioners.

5. In such view of the matter, this Court is of the view that the petitioners are not necessary parties to the suit instituted by the first respondent and if the petitioners are aggrieved it is for them to file an independent proceedings against the third respondent as there is no claim made by them as against the respondents 1 and 2. For the aforesaid reasons, I do not see any reason to interfere with the orders impugned



CRP(MD), No.2545 of 2025

herein and accordingly, the Civil Revision Petition fails and the same is dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

24.09.2025

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

TO

1. The Additional District Munsif,
Padmanabhapuram.
2. The Section Officer, VR Section,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



CRP(MD), No.2545 of 2025

K.KUMARESH BABU,J.

LS

C.R.P(MD) No.2545 of 2025

24.09.2025