



C.R.P.No.172 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.01.2026

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

C.R.P.No.172 of 2026

and

C.M.P.No.735 of 2026

P.S.Vasanthakumar

... Petitioner

vs.

- 1.S.Malathy
- 2.D.Mathiyazhagan
- 3.T.Natarajan
- 4.Prema Gopalakrishnan
- 5.P.G.Rajshri
- 6.Mohana Varadarajan
- 7.P.V.Balachandar
- 8.P.V.Mohanraj
- 9.Anitha
- 10.Yogamangalam Srinivasan



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11.Padmapriya Aravindan

12.Manimegalai Daivasigamani

13.Thiru.Justice P.D.Audikesavalu
S/o.LateP.A.Daivasigamani

14.P.D.Muthupalaniappan

15.P.D.Parthasarathy

16.V.Rajanarayanan

17.T.Shanbaga Dhanam

18.V.Amudhalakshmi

19.Meenakshi Kumar

20.E.Anandharaja

21.Devahi Rangappan

... Respondents

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the fair and decretal orders dated 02.12.2025 made in I.A.No.5 of 2023 in O.S.No.116 of 2022 on the file of the Court of District Munsif, Madurantakam and allow impleadment of proposed parties in the suit.

For Petitioner : Mr.N.S.Siva Kumar



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ORDER

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The Civil Revision Petition is filed challenging the order passed by the learned District Munsif, Madurantakam in I.A.No.5 of 2023 in O.S.No.116 of 2022, dated 02.12.2025 dismissing the application filed by the petitioner seeking to implead the respondents 4 to 21 as party defendants in the suit.

2. The 1st respondent herein filed a suit for permanent injunction against the petitioner and respondents 2 and 3. According to the petitioner, the suit property originally belonged to one P.M.Adhkesavalu Naicker/great grandfather of the petitioner. It is the specific case of the petitioner that the proposed parties are other legal heirs of P.M.Adhkesavalu Naicker and they are also having interest in the suit property. Therefore, they should be impleaded as party defendants in the suit.

3. The 1st respondent filed a suit for bare injunction. It is settled law in a suit for bare injunction, the plaintiff is the *dominus litis* and the defendants cannot dictate to the plaintiff with regard to the person with whom she has to fight. As per the plaint averment, the petitioner and



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respondents 2 and 3 attempted to interfere with the alleged possession of the 1st respondent/plaintiff and therefore, the suit for bare injunction has been filed against them. The plaintiff has not pleaded any cause of action against the proposed parties. Therefore, the petitioner, who was arrayed as a 1st defendant in the suit for bare injunction, cannot maintain the application for impleadment of alleged legal heirs of above said P.M.Adhkesavalu Naicker. The Trial Court rightly appreciated the position and dismissed the application. I do not find any error in the impugned order passed by the learned District Munsif, Madurantakam in I.A.No.5 of 2023 in O.S.No.116 of 2022, dated 02.12.2025.

4. Accordingly, the Civil Revision Petition is dismissed. No costs. Consequently, the connected civil miscellaneous petition is closed.

19.01.2026

Index : Yes / No
Speaking order : Yes / No
Neutral Citation : Yes / No
dm



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To

The District Munsif,
Madurantakam.



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S.SOUNTHAR, J.

dm

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