



CRP No. 1069 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-04-2026

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

**CRP No. 1069 of 2026
and CMP No.5660 of 2026**

1. Rathinasamy
S/O. Venkidusamy, D.No.3/15,
Vadugapalayam Thottam,
V.Vadamalaipalayam, Palladam Taluk,
Tiruppur District - 641664. and another

2. Dinesh Kumar
S/O. Rathinasamy, D.No.3/15,
Vadugapalayam Thottam,
V.Vadamalaipalayam, Palladam Taluk,
Tiruppur District - 641664.

Petitioner(s)

Vs

1. Chinnasamy
S/O. Nachimuthu, D.No.103,
V.Vadamalaipalayam, Palladam Taluk,
Tiruppur District - 641664.

Respondent(s)

Civil Revision Petition filed under Article 227 of Constitution of India against the fair and decreetal order dated 16.09.2025 passed in I.A.No.2 of 2025 in O.S.No.10 of 2025 on the file of District Munsif Court, Palladam.



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For Petitioner(s): K. Govi Ganesan

For Respondent(s): M/s.G.Nirmal Krishnan

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ORDER

Challenging the order passed in I.A.No.2 of 2025 in O.S.No.10 of 2025, the revision petitioners filed the present revision.

2. Before the trial Court, the revision petitioner has filed an application in I.A.No.2 of 2025 seeking to implead one Dinesh Kumar, who is the son of the revision petitioner, as second defendant in the suit proceedings. The said application was dismissed by the trial court holding that if at all the said Dinesh Kumar is having any right and title over the property, the revision petitioner has to work out his remedy by separate suit and not in the present suit. Aggrieved by the same, the revision petition has been filed.

3. Learned counsel for the revision petitioners submits that after the suit, the revision petitioner has executed a settlement deed in favour of his son Dinesh Kumar and therefore he wanted to implead him as necessary party to the proceedings. Further, there is a counter claim to decide the issue as to whether the said Dinesh Kumar is a



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necessary party.

4. Heard the learned counsel for the respondent.

5. Admittedly, after the suit, based on the settlement deed, now , the revision petitioner seeks to implead Dinesh Kumar as second defendant. The dispute is with regard to the immovable property as shown in the plaint schedule and various items are shown as immovable property and the suit was originally filed by the respondent for the reliefs of permanent injunction and other consequential reliefs. Pending suit, counter claim arose between the parties. Therefore, by impleading Dinesh Kumar as 2nd defendant would not cause any prejudice nor would it change the character of the suit.

6. Therefore, the order passed in I.A.No.2 of 2025 is set aside and the civil revision petition is allowed. The parties are directed to cooperate for trial.

28.04.2026

sr

Index:yes/no

Website:yes/no

Speaking Order/Non-speaking Order



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T.V.THAMILSELVI.,J

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To

The District Munsif Court, Palladam

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