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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-02-2026

CORAM

THE HON'BLE MR.JUSTICE S. SOUNTHAR

**CRP No. 2166 of 2024
and
CMP No. 11538 of 2024**

Arjunan

..Petitioner(s)

Vs

1. C.Dhavamani
2. The Thasildhar
Gingee, Gingee Taluk,
Villupuram District.
3. The Zonal Deputy Tahsildhar
Gingee, Gingee Taluk,
Villupuram District.
4. The Revenue Inspector
Vallam, Gingee Taluk,
Villupuram District.
5. The Village Administrative Officer
Perumpugai Village, Gingee Taluk,
Villupuram District.
6. The Sub Collector
Tindivanam,
Villupuram District.
7. The District Collector
Villupuram District,
Villupuram.

..Respondent(s)



Civil Revision Petition has been filed under Article 227 of the Constitution of India, to set aside fair and decreetal order in IA No.164 of 2022 in OS No.119 of 2017 dated 24.08.2023 on the file of Principal District Munsif Court at Gingee, Villupuram District.

For Petitioner(s): Mr.K.Krishnan

For Respondent(s): Mrs.P.Thirumalai For R1

Mr.N.Muthuvel
Government Advocate
For R2 to R7

ORDER

The civil revision petition has been filed challenging the order passed by the Trial Court allowing the application filed by the 1st respondent seeking his impleadment in the suit filed by the petitioner.

2. The petitioner herein filed the suit for bare injunction to restrain the respondents 2 to 7 from interfering with his possession and enjoyment of the suit property. The petitioner also sought for a mandatory injunction, directing the defendants 1, 5 and 6 to grant a patta in his favour in respect of the suit property. The 1st respondent, who is a third party, filed an impleading application on the ground that the suit property is a Government Poramboke land.



3. It is alleged by the 1st respondent that the petitioner herein by impleading the Officials of the Government, is attempting to get a patta in his name. Further, it is contended that the Villagers, opposing this attempt, have already submitted a representation before the District Collector, Villupuram, against issuance of patta in the name of the petitioner and the same is pending.

4. Since the petitioner is attempting to get patta in respect of the land over which the general public having right over the property, the 1st respondent sought for his impleadment as a party in the suit. The Trial Court allowed the application. Aggrieved by the same, the petitioner filed the present civil revision petition.

5. The learned counsel for the petitioner would submit that the 1st respondent has no individual interest over the subject property. He claims that the general public has got a right of way over the subject property. In such circumstances, the learned counsel for the petitioner submitted that the 1st respondent need not be impleaded in the suit in his individual capacity.

6. The 1st respondent sought for impleading mainly on the ground that the suit properties are Government Poromboke lands and the general public of the Village have got right of way over the subject property. The impleading application has not been filed by the 1st respondent as a representative of the



general public and it was filed by him in his individual capacity. The 1st respondent has not shown any individual interest over the subject property.

When he has not established any proprietary interest over the suit property, his presence is not at all required.

7. The Government Officials, as custodians of the Government property, are expected to protect the public land in the name of the Government. In the absence of any proprietary right over the suit property, the 1st respondent is not entitled to be impleaded as a party defendant in the suit, as no specific relief is prayed for against him. Therefore, the Trial Court committed an error in allowing the impleading application filed by the 1st respondent.

8. Accordingly, the order dated 24.08.2023 passed in I.A.No.164 of 2022 in O.S.No.119 of 2017 by the Principal District Munsif Court, Gingee, Villupuram, is hereby set aside and the Civil Revision Petition stands allowed. Consequently, the connected Miscellaneous Petition is closed. No costs.

04-02-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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To

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CRP No. 2166 of 2



S.SOUNTHAR, J.

JENI

CRP No. 2166 of 2024

04-02-2026