



WEB COPY

CRP No. 818 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-03-2026

CORAM

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

CRP NO. 818 OF 2026

AND

CMP NO. 4354 OF 2026

N. Selladurai
S/o Nachiappan,
Founder Trustee of Kongu Charitable Trust,
Old Door No 13, New Door.No 29,
Vengu Street, Egmore,
Chennai 600 008.

..Petitioner(s)

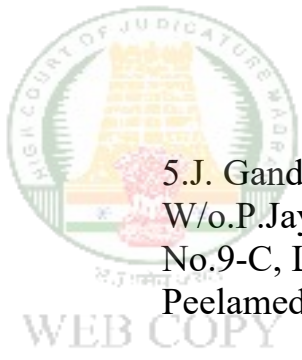
Vs

1.Pongiammal
W/o Late S.P Rangasamy,
No 8, Arunachala Gounder Street,
KK Pudur, Coimbatore 38.

2.R. Moorthy
S/o.Late S.P.Rangasamy,
No.8, Arunachala Gounder St,
K.K.Pudur, Coimbatore 38

3.S.Kanagaraj
S/o.late Seerangarayan,
No.6/11, Sivagnanam Nivas,
Sama Naidu Lay out, Thiruvalluvar Nagar,
Ramanathapuram, Coimbatore 45

4.N. Selvi
W/o.Nagaraj
NO.2/341, Ponnusamy Gounder Thottam
Theethipalayam Post
Coimbatore-10



5.J. Gandhimathi
W/o.P.Jayakumar
No.9-C, Lal Baghadur Colony
Peelamedu, Coimbatore-4

6.A. Vijayakumar
S/o.Arunachala Gounder
NO.80-A, 6/206, Maniakara Thottam
Karaiyampalayam, Nambiampalayam
Avinashi Taluk, Coimbatore District

..Respondent(s)

PRAYER

Civil Revision Petition filed under Art. 227 of Constitution of India, praying to allow the Revision Petition and set aside the order and decreetal order dated 30.01.2026 in IA No.24 of 2025 in OS NO.720 of 2020 passed by V Additional District Court, Coimbatore.

For Petitioner(s): Mr. V.Manisekaran

For Respondent(s): Mr.S.Mukunth for
M/s.Sarvabhauman Associates
for R1 & R2
Mr.A.Ramesh for R3

Mr.S.Karthik Raja for R4 & R5

R6 – service awaited

ORDER

Challenging the impugned order passed in I.A.No.24 of 2025 in O.S.No.720 of 2020 passed by V Additional District Court, Coimbatore, the Revision Petitioner/third party preferred this Civil Revision Petition.



2. Before the trial court, the Revision Petitioner filed an application under Order 1 Rule 10(2) r/w 151 of C.P.C. claiming himself as a Founder Trustee of M/s.Kongu Charitable Trust praying to implead him as necessary party to the proceedings and the same was dismissed by the trial judge holding that he was not necessary party to the proceedings. Aggrieved over that, he had preferred this Civil Revision Petition.

3. According to the Revision Petitioner, he is a Founder Trustee of M/s.Kongu Charitable Trust, but without his consent, the properties were sold in the year 2000. He came to know the same through the encumbrance certificate while pending proceedings that there is a document stands in the name of respondents 1 and 2 and obtained a collusive decree in order to grab the property. Therefore, he wanted to implead himself as necessary party in the suit in O.S.No.720 of 2020.

4. The learned counsel for respondents/plaintiffs 1 and 2 would submit that they are the purchasers of the property in the year 2000 and ever since they are enjoying the properties as absolute owners neither third party nor the other respondents 3 to 6 are absolute owners, which is under challenge in the suits O.S.No.712 of 2020, O.S.No. 538 of 2016 and O.S.No.588 of 2016.



5. Heard and considered rival submissions made by both learned counsel for revision petitioner and respondents and perused the materials available on record.

6. From the year of 2016, the respondents/plaintiffs 1 and 2 have contested the case and now the suit was posted for arguments. Now, the Founder Trustee of M/s.Kongu Charitable Trust wanted to implead himself. It is also brought to the knowledge of this Court, the Revision Petitioner has filed an application in I.A.No.1 of 2024 in OS CFR.No.1759 of 2024 under Sec.92 of C.P.C. as a Trustee before the Principal District Court, Coimbatore against all the trustees. If at all, he is having any right, he can work out his remedy in that suits not in the present suit. Now the suit is also riped for arguments and he is not necessary party to the proceedings as rightly observed by the trial judge, which requires no interference. Therefore, this Civil Revision Petition is dismissed as no merit. No costs. Consequently, connected civil miscellaneous petition is closed.

12-03-2026

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

RPP

To
The V Additional Principal District Judge, Coimbatore.



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T.V.THAMILSELVI J.

RPP

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(2/2)**