



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-04-2026

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 1638 of 2026

and

CMP.No.7646 of 2026

1. Shanthi,
Wife of M.Giribabu, No.179, 4th Street,
Kamaraj Nagar, Chengalpattu.

Petitioner(s)

Vs

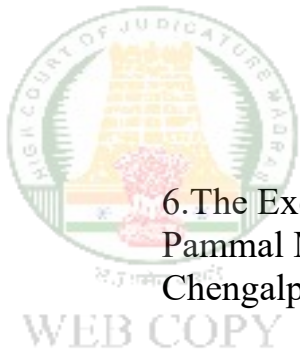
1. D.Mohanambal,
Son of Durai, Residing at No.181, Plot
No.26, Thangaiah Street, Gandhi Nagar,
Nagalkeni, Chennai -600 044.

2.P.Pandurangan,
Son of Durai, Residing at No.181, Plot
No.26, Thangaiah Street, Gandhi Nagar,
Nagalkeni, Chennai -600 044.

3.D.Babu,
Son of Durai, Residing at No.181, Plot
No.26, Thangaiah Street, Gandhi Nagar,
Nagalkeni, Chennai -600 044.

4.D.Nandha Gopal,
Son of Durai, Residing at No.181, Plot
No.26, Thangaiah Street, Gandhi Nagar,
Nagalkeni, Chennai -600 044.

5.V.Indira Varadharajan,
Rep. by her Power Agent,
D.Varadharajan, Son of Duraiswamy,
No.15/6, (Plot No.27), Ramanathan
Street, Gandhi Nagar, Nagalkeni,
Chrompet, Chennai -600 044.



6.The Executive Officer,
Pammal Municipality, Pammal,
Chengalpattu -600 075.

Respondent(s)

PRAYER

Civil Revision Petition filed under Article 227 of Constitution of India, prays to set aside the docket and Decretal Order in I.A.No.129 of 2021 in A.S.No.252 of 2021 dated 13.10.2025 on the file of Subordinate Court, Alandur.

For Petitioner(s): Mr.Rabi Anandh R S

For Respondent(s):

ORDER

The revision petitioner has filed this revision to set aside the docket and Decretal Order in I.A.No.129 of 2021 in A.S.No.252 of 2021 dated 13.10.2025 on the file of Subordinate Court, Alandur.

2. The petitioner, being one of the legal heirs of the deceased Durai, filed an application before the first appellate Court seeking to implead herself as a party to the proceedings. Since she came to know about the suit proceedings belatedly, she filed the said application. However, the appellate Court failed to grant such opportunity. Aggrieved by the same, the present revision has been filed.



3. The learned counsel for the revision petitioner submitted that the fifth respondent/plaintiff had filed a suit against respondents 1 to 4, who are the wife and sons of the deceased Durai, without impleading the petitioner, who is also one of the legal heirs. Upon coming to know of the proceedings, she filed an application, which was not properly considered.

4. The records reveal that, as per the legal heir certificate, the petitioner is one of the legal heirs of the deceased Durai. The suit property is the self-acquired property of Durai, and therefore, she is a necessary party to the proceedings. Any relief granted must enure to the benefit of all legal heirs. The Courts below failed to consider this aspect.

5. It is also not disputed by the other defendants that the petitioner is a legal heir. Though the application was filed belatedly, the reason assigned, namely that she is married and residing elsewhere and was unaware of the proceedings, is justifiable. Impleading her would not alter the nature of the suit, even at the appellate stage, as an appeal is a continuation of the suit.

6. Therefore, this Court is inclined to set aside the order passed by the trial Judge in I.A.No.129 of 2021 in A.S.No.252 of 2021 dated 13.10.2025 on the file of Subordinate Court, Alandur.



7. It is further seen from the records that another daughter, namely Suguna, is also a legal heir of Durai. To avoid multiplicity of proceedings and miscarriage of justice, she shall also be impleaded as a party.

8. The learned first appellate Judge is directed to issue notice to all parties and proceed the matter in accordance with law.

9. Accordingly, the Civil Revision Petition is allowed. Consequently, the connected miscellaneous petition is closed. No costs.

06-04-2026

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

1. The Subordinate Judge, Alandur.

2. The Executive Officer,
Pammal Municipality, Pammal,
Chengalpattu -600 075.

3. The Section Officer,
VR Section, High Court of Madras.



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T.V.THAMILSELVI J.
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