WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-11-2026

CORAM

THE HON'BLE MR JUSTICE N. ANAND VENKATESH

CRP No. 2532 of 2024
and
CMP No.13275 of 2024

CNR: {HCMA010993062024}

Case QR

1. K. Kumarasamy
   S/o. late. Kaliyan, Advocate, 5 th Cross,
   Bharathidasan Nagar, Perambalur Post and
   Taluk, Perambalur Dt

2. Rajendran
   S/o. Kaliyan, Retd., Village Headman, Periyar
   Nagar, Perambalur Post and Taluk, Perambalur
   Dt.

..Petitioner(s)

Vs

1. Tamil Selvan
   S/o. Late. Thangaiya, Pudhu Colony,
   Krishnapuram, Veppanthattai Taluk,
   Perambalur Dt.

2. Sures
   S/o. Thangaiya, Pudhu Colony, Krishnapuram,
   Veppanthattai tk, Perambalur Dt.

3. Senthilkumar
   S/o. Late. Ramajayam, D.No.8/95, Pudhu
   Colony, Krishnapuram, Veppanthattai Taluk,
   Perambalur Dt.

4. Poonkodi
   W/o. Ravichandran, 5 th Cross, Bharathidasan
   Nagar, Perambalur Post and Taluk, Perambalur
   Dt.

https://www.mhc.tn.gov.in/judis

WEB COPY

5. Geetha
W/o. Subramanian, D.No.8/95, Pudhu Colony,
Krishnapuram, Veppanthattai Taluk,
Perambalur Dt.

6. Sajitha
W/o. Jayakumar, D.No.8/95, Pudhu Colony,
Krishnapuram, Veppanthattai Tk, Permabalur
Dt.

7. Kamalam
W/o. govindasamy, D.No.107/Z-15, KK Nagar,
Duraimangalam Post, Perambalur Dt.

8. The State rep by the
District Collector, Perambalur.

9. The District Revenue Officer
Perambalur Dt.

10. The Tahsildar
Perambalur Dt.

11. Village Administrative Officer
Perambalur South

12. Village Administrative Officer
Perambalur North.

..Respondent(s)

PRAYER

Petition filed under Article 227 of the Constitution of India, praying to set aside the order dated 26.03.2024 made in IA No.4 of 2021 in OS no.140 of 2021 on the file of the Additional District Munsif Perambalur.

https://www.mhc.tn.gov.in/judis

WEB COPY

For Petitioner(s): Mr.S.Thirumavalavan

For Respondent(s): Mr.K.Srinivasan
for R3

Mr.K.K.Prasanth for R4

Mrs.D.Chitra Maragatham
for R8 to R 12

for R1, R2, R5, R6 and R7 – sd-NA

ORDER

This Civil Revision Petition has been filed under Article 227 of the Constitution of India against the fair and decreetal order made in IA No.4 of 2021 in OS.No.140 of 2021, dated 26.03.2024, on the file of the Additional District Munsif, Perambalur, wherein the application filed by the respondents 1 to 6/proposed defendants 7 to 12 to implead them as parties to the suit came to be allowed by the Court below.

2.Heard the learned counsel for the petitioners and the learned counsel appearing on behalf of the respondents.

3.This Court carefully considered the submissions made on either side and the materials available on record. This Court also went through the order passed by the Court below.

https://www.mhc.tn.gov.in/judis

WEB COPY

4.The petitioners are the plaintiffs who filed the suit in OS.No.140 of 2021 seeking for the relief of permanent injunction against the 1st defendant who is none other than the sister of the petitioners. They have also sought for the relief of permanent injunction restraining the official defendants not to include the name of the 1st defendant in the revenue records.

5.The respondents 1 to 6 filed IA.No.4 of 2021 under Order I Rule 10 of CPC, to include them as proposed defendants on the ground that they also have the right over the suit properties and that the plaintiffs have illegally occupied the property and therefore if any judgment is passed behind their back, it will put the proposed defendants to serious hardship.

6.The Court below has allowed the application on the ground that the proposed defendants are necessary parties to the proceedings. Aggrieved by the said order, the present CRP has been filed before this Court.

7.In the considered view of this Court, the suit has been filed by the petitioners/plaintiffs by making specific allegations against the 1st defendant and the suit has been filed only seeking for the relief of bare injunction. The respondents 1 to 6 who are the proposed defendants even in the affidavit filed in support of the application have made it clear that they have already made arrangements to file a suit for declaration and recovery of possession against the

https://www.mhc.tn.gov.in/judis

WEB COPY

plaintiffs and others. If that is so, there is no need for the proposed defendants to be party in the present suit which has been filed only seeking for the relief of bare injunction against the 1st defendant. Ultimately even if a judgment is passed in the present suit, it will only bind the 1st defendant and no one else. Therefore, the proposed defendants are neither a proper nor a necessary party to the present proceedings. If they have any grievance against the petitioners/plaintiffs, they can independently initiate proceedings and proceed further in accordance with law.

8.In the result, the order passed by the Court below in IA No.4 of 2021 in OS.No.140 of 2021, dated 26.03.2024, on the file of the Additional District Munsif, Perambalur, is set aside and this Civil Revision Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

04-11-2026

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

https://www.mhc.tn.gov.in/judis

WEB COPY

N.ANAND VENKATESH, J.

KP

To

1. Additional District Munsif Perambalur.
2. The State rep by the
   District Collector, Perambalur.
3. The District Revenue Officer
   Perambalur Dt.
4. The Tahsildar
   Perambalur Dt.
5. Village Administrative Officer
   Perambalur South
6. Village Administrative Officer
   Perambalur North.

CRP No. 2532 of 2024

04-11-2026

https://www.mhc.tn.gov.in/judis