



WEB COPY



CRP No. 2686 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 29-04-2026**

CORAM

**THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI**

**CRP No. 2686 of 2026  
and CMP No.11299 of 2026**

1. Dhanapalsamy  
S/o. Subramaniya Gounder,  
Agasthiyalingam Palayam, Kangeyam  
Covai Road, Kangeyam Taluk, Tiruppur  
Dist. and another

2. Arun Pradeep  
S/o. Dhanapalsamy, Agasthiyalingam  
Palayam, Kangeyam Covai Road,  
Kangeyam Taluk, Tiruppur Dist.

Petitioner(s)

Vs

1. Gunasekaran  
S/o. Ramasamy, 62, Sengodampalayam  
Post, Uthiyur Village, Kangeyam Taluk,  
Tiruppur Dist.

2. Ramasamy  
S/o. Karuppana Gounder, 62,  
Sengodampalayam Post, Uthiyur Village,  
Kangeyam Taluk, Tiruppur Dist.

3. Nithyananthi  
W/o. Dhanapalsamy, 84, Agasthiyalingam



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Palayam, Kangeyam Covai Road,  
Kangeyam Taluk, Tiruppur Dist.

4. Bharath Petroleum Corporation  
Rep. by its Territory Manager (Retail),  
Having office at No.103, Rowther Post,  
Erugur, Coimbatore Dist.

Respondent(s)

Civil Revision Petition filed under Article 227 of Constitution of India against the order passed in I.A.No.1 of 2024 in O.S.No.55 of 2022 on the file of District Munsif Court, Kangeyam dated 17.03.2026.

For Petitioner(s): V.S.Kesavan

For Respondent(s): Ms.R.Poornima

### **ORDER**

Challenging the order passed in I.A.No.1 of 2024 in O.S.No.55 of 2022, the plaintiffs have filed the present revision.

2. Before commencement of trial, the plaintiffs filed an application in I.A.No.1 of 2024 to implead Nithyananthi and Bharath Petroleum Corporation represented by its Territory Manager as defendants 3 and 4 in the suit. But the trial Court failed to give such opportunity holding that they are not necessary parties to the proceedings. Aggrieved by the same, the plaintiffs preferred the present revision.



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3. Learned counsel for the revision petitioners/plaintiffs submits that the suit was filed in the year 2022 and the plaintiffs sought for declaration and for permanent injunction restraining the defendants from interfering with the enjoyment of the petrol bunk which is subject matter of the suit. Learned counsel also submits that before commencement of trial, the plaintiffs wanted to implead the original owner of the property Nithyananthi and the Bharath Petroleum Corporation as necessary parties to the proceedings.

4. Learned counsel for the respondents/defendants raised objection stating that as on date the respondents 1 and 2/defendants 1 and 2 were given lease to run the petrol bunk and the proposed parties are not necessary to the proceedings and therefore, the trial court has rightly dismissed the application, which does not warrant interference.

5. Considered the submissions made by the learned counsel on either side and perused the materials available on record.

6. Admittedly, in the suit property, there is a petrol bunk, which is the subject matter and now the revision petitioners/plaintiffs want to implead the land owner Nithyananthi and the Bharath Petroleum Corporation as necessary parties to the



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proceedings. By impleading the land owner and Bharath Petroleum Corporation as parties to the suit would not change the nature of the suit and whether they are necessary parties to the suit proceedings can be decided only after the completion of the trial and since it is in pre-trial proceedings, impleading Nithyananthi and the Bharath Petroleum Corporation, would not cause any prejudice to the suit rather it avoid multiplicity of proceedings. But the trial court has failed to appreciate the same and has erroneously dismissed the application.

7. Accordingly, the order passed by the trial Court in I.A.No.1 of 2024 is set aside and liberty is granted to the defendants to file additional written statement and proceed the matter in the manner known to law.

8. With the above observation, the civil revision petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

29.04.2026

sr  
Index:yes/no  
Website:yes/no  
Speaking Order/Non-speaking order



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To

The District Munsif Court, Kangeyam



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**T.V.THAMILSELVI.,J**

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