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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-11-2026

CORAM

THE HON'BLE MR JUSTICE N. ANAND VENKATESH

Civil Revision Petition No.5966 of 2026
and
C.M.P.No.25831 of 2026

Case QR

CNR: {HCMA011741682026}

S.Srimathy
W/o.Sivaraman

..Petitioner

Vs

1. M.Vallinayagam
   S/o.N.Muthuramalingam

2. The Commissioner,
   No.2, Gulalur Municipality,
   Coimbatore North,
   Nehru Nagar,
   Coimbatore 641 047.

..Respondents

Civil Revision Petition filed under Article 227 of the Constitution of India against the order dated 23.01.2026 in I.A.No.4 of 2025 in O.S.No.145 of 2021 on the file of Principal District Munsif, Coimbatore.

For Petitioner : Mr.A.Parthasarathy

For Respondents : Ms.M.R.Pramela [R1]
Mrs.D.Chitra Maragatham
Government Advocate [R2]

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ORDER

This civil revision petition has been filed under Article 227 of the Constitution of India against the order dated 23.01.2026 passed in I.A.No.4 of 2025 in O.S.No.145 of 2021 on the file of Principal District Munsif, Coimbatore, wherein the application filed by the first respondent/first defendant under Order I Rule 10 CPC to implead the Commissioner of Gudalur Municipality as the proposed defendant in the suit, came to be allowed by the Court below.

2. Heard learned counsel on either side and carefully perused the materials available on record. This Court also went through the impugned order.

3. The petitioner is the plaintiff, who filed the suit in O.S.No.145 of 2021 seeking for the relief of permanent injunction. The first respondent/first defendant filed I.A.No.4 of 2025 in O.S.No.145 of 2021 under Order I Rule 10 CPC to implead the Commissioner of Gudalur Municipality as the proposed defendant on the ground that the entire lay out road as well as the disputed common pathway has been handed over to the Municipality and therefore, the Municipality is a necessary party to the proceedings. The Court below allowed the said application and aggrieved by the same, the present revision has been filed before this Court.

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Order QR

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4. The order passed by the Court below is liable to be interfered by this Court for the simple reason that the order is incomprehensible and the order is not supported by any reasons. That apart, the Gudalur Municipality, in a suit filed by the first respondent/first defendant in O.S.No.1322 of 2022, has taken a very specific stand that no public road exists in the suit property and the Municipality is not a necessary party in the said suit. The Court below has not even considered this stand taken by the Municipality and has mechanically impleaded the Gudalur Municipality as a defendant in the suit. The order suffers from apparent perversity warranting interference of this Court.

Accordingly, the order dated 23.01.2026 passed in I.A.No.4 of 2025 in O.S.No.145 of 2021 on the file of Principal District Munsif, Coimbatore, 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
Neutral Citation: Yes/No
gm

To
The Principal District Munsif,
Coimbatore.

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N.ANAND VENKATESH, J.

gm

Civil Revision Petition No.5966 of 2026

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