



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-03-2026

CORAM

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

CRP No. 712 of 2024

AND

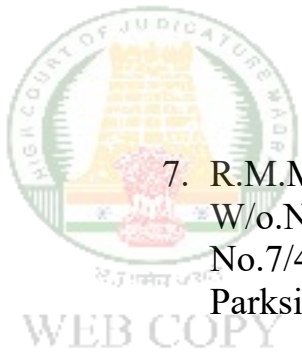
CMP NO. 3601 OF 2024

Udharaj
S/o.C.Muthiah,
No.181, Trunk Road,
Poonamallee, Chennai 56.

..Petitioner(s)

Vs

1. Asariya
S/o.C.Muthiah,
Old No.210, New NO.181, Truck Road,
Poonamallee, Chennai 56.
2. Pawan Kumar
S/o.Moolchand,
No.31, General Muthiah St, Elephant gate,
Chennai 79.
3. Deepa Singhvi
W/o.Pawan Kumar Singhvi,
No.31, General Muthiah St, Elephant Gate,
Chennai 79.
4. M.Rajesh M.Shah
S/o.Mahipal Shah,
No.17, Strotten Mudali St, Chennai 79.
5. Vandana R.Shah
No.17, Strotten Mudali St, Chennai 79.
6. Bindu Kumari
W/o.A.SAndee,
No.6A Park View Road, U.I.Colony,
Kodambakkam, Chennai 24.



7. R.M.Meiyammal
W/o.N.Ramanathan,
No.7/4, Santhosh Flats No.F-1, Lake Area,
Parkside Road, Nungambakkam, Chennai 34.
8. The Commissioner
Poonamallee Municipality, Poonamallee,
Chennai 65
9. The Sub Registrar
Sub Registrar Office, Poonamallee, Chennai 56.
- 10.M.Dhanraj
S/o.late Muthai,
No.6/102, Nadu St, Thiruvargapatti, Kalvai
Post, Sri Vaigundam Tk, Thuthukudi 628622.
- 11.M.Elsiee
D/o.Muthaia,
No.6/85, Vedha Koil St, Thiruvargapatti,
Kalmvai Post, Sri Vaigundam Tk,
Thuthukudi 628622.

..Respondent(s)

PRAYER

Civil Revision Petition filed under Art. 227 of Constitution of India, praying to set aside the order passed by the Honble Principal District Munsif, Poonamallee dated 2.2.2023 dismissing the impleading petition in IA.No.3/2022 in OS.No. 11/2017.

For Petitioner(s): Mr. Manoj Sreevalsan

For Respondent(s): Mr. C.Sathish,
Government Advocate for R9



ORDER

Challenging the impugned order passed in I.A.No.3 of 2022 in O.S.No.11 of 2017 by the learned Principal District Munsif, Poonamallee, the Revision Petitioner/plaintiff preferred this Civil Revision Petition.

2. Despite service of notice, there is no representation on the side of respondents 1 to 8 and 9 to 11. The learned Government Advocate for 9th respondent appeared.

3. Before the trial court, the Revision Petitioner/plaintiff filed an application to implead the proposed parties viz., M.Dhanraj and M.Elsiee as defendants 10 and 11 based on the first Will dated 22.01.2003 as they are necessary parties to the proceedings, for that, the defendants 1 to 6 have raised objections. Considering both side submissions, the trial judge has concluded that the proposed parties are brother and sister of plaintiff, but the suit was filed only for bare injunction. Therefore, the amendment and declaration was not included. Hence, they are not necessary parties. Accordingly, it was dismissed. Aggrieved over that, the Revision Petitioner/plaintiff preferred this Civil Revision Petition.

4.The learned counsel for Revision Petitioner would submit that along with the impleading application, he filed an application in I.A.No. 5 of 2022 to



amend the pleadings and that application is still pending. But the impleading application was dismissed. The learned counsel further submits that the revision petitioner/plaintiff also sought prayer for the relief of partition in the pending application.

5. Considering his submissions as well as on perusal of amendment application, the fact reveals that the Revision Petitioner/plaintiff now sought to amend the prayer by including the partition relief. To avail the said relief, all the parties are necessary, however the proposed parties are sister and brother of plaintiff. So, they are necessary parties to the proceedings, otherwise it will lead to multiplicity of proceedings, besides, they have to file a comprehensive suit. Considering that, this Court is inclined to set aside the findings rendered in I.A.No.3 of 2022 in O.S.No.11 of 2017. The trial judge is directed to take both the applications on file and to dispose the same as early as possible. Accordingly, this Civil Revision Petition is allowed. No costs. Consequently, connected Civil Miscellaneous Petition is closed.

11-03-2026

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

RPP
To
The Principal District Munsif, Poonamallee.



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T.V.THAMILSELVI J.

RPP

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AND
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