



CRP(MD). No.61 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 19.01.2026

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THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

**CRP(MD). No.61 of 2026
and
CMP(MD) No.334 of 2026**

Antony Manacksa

... Petitioner

Vs

1.Jothi Lawrence

2.Xavier Jenitta

... Respondents

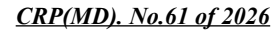
PRAYER :-Civil Revision Petition filed under Article 227 of The Constitution of India, to call for the records pertaining to the fair and decretal order dated 13.11.2025 passed in I.A.No.3 of 2025 in O.S.No. 212 of 2022 on the file of the Learned Subordinate Court, Valliyoor, Tirunelveli District and to set aside the same.

For Petitioner : Mr.V.Sasikumar

ORDER

This Civil Revision Petition has been filed challenging the order made in I.A.No.3 of 2025 in O.S.No.212 of 2022 on the file of the Subordinate Court, Valliyoor, Tirunelveli District, dated 13.11.2025.

1/5



3. Pending suit, the first respondent, who is a third party to the suit, had filed an interlocutory application in I.A.No.3 of 2025 in O.S.No.212 of 2022 to implead him as a party defendant in the suit on the ground that since the suit property is his ancestral property, being a sibling to the parties, he is entitled for a share in the suit property. The Court below, vide order, dated 13.11.2025, had allowed the said application, by holding that for complete and effective adjudication and passing of a binding decree, the first respondent/third party is necessary to be impleaded as a party in the suit. Aggrieved by the same, the present Civil Revision Petition has been filed.

4.The learned counsel for the petitioner reiterating all the contentions set out in the memorandum of grounds of Revision would



CRP(MD), No.61 of 2026

contend that already family partition had taken place between the parties and as such, the first respondent has no right over the suit property. Hence, he prays for appropriate orders.

5.This Court considered the submissions made by the learned counsel for the petitioner and perused the materials available on record. Since no adverse orders are going to be passed in this petition, notice to the respondents is dispensed with.

6.Admittedly, the suit had been filed by the petitioner against the second respondent for partition and in the said suit, the first respondent claiming right over the suit property has filed an application to implead him as party defendant. It is to be noted that in a suit for partition, all co-sharers, who have a semblance of right, title, or interest in the suit properties, are necessary parties, since any decree passed in their absence will not bind them and would give rise to multiplicity of proceedings.

7.The records reveal that the proposed party is a sibling of the parties to the suit and claims a share in the ancestral/joint family



CRP(MD), No.61 of 2026

properties, which are the subject matter of the suit. Therefore, the presence of the first respondent is essential for the complete and effective adjudication of the issues involved in the suit. The order passed by the Court below in this line is correct. This Court finds no infirmity or illegality in the order passed by the Court below. The trial Court had rightly allowed such application, which does not warrant any interference of this Court.

8.In the result, the Civil Revision Petition stands dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No
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19.01.2026

To

The Subordinate Judge, Valliyoor, Tirunelveli District.



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CRP(MD). No.61 of 2026

N.SENTHILKUMAR, J.

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CRP(MD). No.61 of 2026

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