



CRP(MD). Nos.248 and 249 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 02.02.2026

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THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

**CRP(MD). Nos.248 and 249 of 2026
and
CMP(MD) Nos.1001 and 1002 of 2026**

K.Meenakshisundaram

... Petitioner in both CRPs.,

Vs

Kadarkaraipillai (Died)

1.Kaliyammal

2.K.Sangilinathan

3.Venkateshwaran

4.Nithyarani

5.The Tahsildhar
Taluk Office
Rajapalayam.

6.The Revenue Divisional Officer
Revenue Divisional Office
Sivakasi.



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7.The District Collector
District Collector Office Campus
Virudhunagar.

... Respondents in both CRPs.,

PRAYER in CRP(MD) No.248 of 2026 :-Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the Fair and Decreetal order of the Learned Sub Judge, Rajapalayam dated 09.10.2025 in IA No.3 of 2023 in OS No.349 of 2024.

PRAYER in CRP(MD) No.249 of 2026 :-Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the Fair and Decreetal order of the Learned Sub Judge, Rajapalayam dated 04.09.2025 in I.A.No.6 of 2024 in IA No.3 of 2023 in OS No.349 of 2024.

For Petitioner
in both CRPs : Mr.R.Rajesh Kumar

For R5 to R7
in both CRPs : Mr.P.Thambidurai
Government Advocate

COMMON ORDER

CRP(MD) No.248 of 2026 has been filed challenging the order dated 04.09.2025 passed in I.A.No.6 of 2024 in I.A.No.3 of 2023 in O.S.No.349 of 2024 on the file of the Sub Court, Rajapalayam.

2.CRP(MD) No.249 of 2026 has been filed challenging the order of the learned Subordinate Judge, Rajapalayam, dated 04.09.2025, made in I.A.No.6 of 2024 in IA No.3 of 2023 in OS No.349 of 2024.



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3.The petitioner/plaintiff has filed a suit in O.S.No.349 of 2024 for the relief of partition along with other reliefs. Pending suit, the petitioner filed an interlocutory application in I.A.No.6 of 2024 under Section 75(2) of CPC seeking to implead the respondents 5 to 7 herein as party defendants in the suit and also filed an application in I.A.No.6 of 2024 under Section 75(2) of CPC to call for the documents relating to the alleged patta transfer order. The trial Court had dismissed both the IAs., Challenging the same, the present Civil Revision Petitions have been filed.

4.The learned counsel for the petitioner would submit that since the entire disputes involved in the suit revolves around allegations of collusive and fraudulent patta transfers executed pending the suit, it is just and necessary to implead the proposed parties as party defendants in the suit as well as to call for the documents as sought for by the petitioner. Hence, he called upon this Court to set aside the impugned order and grant relief as prayed for.



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5.The learned Government Advocate for the Official respondents would submit that issues have already been framed in the suit and at this stage, if the relief sought for by the petitioner is granted, it will cause great prejudice to the nature of the trial. He would therefore pray this Court to dismiss the present Civil Revision Petition.

6.Heard the learned counsel on either side. This Court perused the order passed in the interlocutory application.

7.It is seen from the materials placed before this Court that insofar as the grievances of the petitioner are concerned, the statute provides a specific appellate remedy before the Revenue Divisional Officer with regard to issue of patta as well as to cancel the patta. Since the grievance of the petitioner is only with regard to the issuance of patta in favour of the respondents, when an effective alternative remedy is available to the petitioner under the statute, this Court is not inclined to entertain the present Civil Revision Petitions at this stage. Therefore, the petitioner is granted liberty to work out his remedy by filing an appeal/application



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before the Revenue Divisional Officer concerned in the manner known to law.

8. With such liberty, the Civil Revision Petitions stand disposed of at this stage. No costs. Consequently, connected Miscellaneous Petitions are closed.

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No
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02.02.2026

To

1. The Sub Judge, Rajapalayam.

2. The Tahsildhar
Taluk Office
Rajapalayam.

3. The Revenue Divisional Officer
Revenue Divisional Office
Sivakasi.

4. The District Collector
District Collector Office Campus
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N.SENTHILKUMAR, J.

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