



C.R.P.(MD) No.803 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.03.2026

CORAM

THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

**C.R.P.(MD) No.803 of 2026
and
CMP(MD) No.3731 of 2026**

L.Zakir Hussain

... Petitioner

vs.

1.Thanjavur Palace Devasthanam,
Rep. by its Babaji Raja Bhonsle
Hereditary Trustee
No.1212
Mela Rajaveethi
Thanjavur.

2.C.Punniyamoorthy

... Respondents

PRAYER: Petition filed under Section 115 of Civil Procedure Code, to set aside the Fair and Decreetal order made in E.A.No.12 of 2022 in E.P.No. 57 of 2011 in O.S. No.167 of 2006 on the file of the Principal District Munsif Court, Thanjavur, dated 23.02.2026.

For Petitioner : Mr.G.Karnan



C.R.P.(MD) No.803 of 2026

WEB COPY

ORDER

The Civil Revision Petitioner filed an application under Section 47 of the Code of Civil Procedure in E.A.No.12 of 2022 in E.P.No.57 of 2011 in O.S.No.167 of 2006 on the file of the learned Principal District Munsif at Thanjavur. The said application was dismissed on 23.02.2026. Challenging the same, the present Revision.

2.The first respondent herein as the decree holder in O.S.No.167 of 2006 presented E.P.No.57 of 2011. The claim of the Civil Revision Petitioner is that he is running a bakery in the premises from the year 2010. Admittedly, he has been put in possession of the property, after the litigation has been launched.

3.A third party to a proceeding is not entitled to file Section 47 application. When the petition itself is not maintainable, I do not find any error in the order passed by the learned Principal District Munsif at Thanjavur in dismissing the said petition.

4.The Civil Revision Petition stands dismissed accordingly.



C.R.P.(MD) No.803 of 2026

5.At this stage, Mr.G.Karnan brought to the notice of this Court that the third party is in discussion with the decree holder for the purpose of settling the issue.

6.The dismissal of this Revision will not stand in the way of the third party to settle the issue with the decree holder, if the decree holder so desires. No costs. Consequently, connected Miscellaneous Petition is closed.

Index :Yes / No
Internet :Yes / No
NCC :Yes / No

18.03.2026

mm

To

The Principal District Munsif, Thanjavur



WEB COPY



C.R.P.(MD) No.803 of 2026

V. LAKSHMINARAYANAN, J.

mm

C.R.P.(MD) No.803 of 2026

18.03.2026