



C.R.P.(MD)No.3640 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.02.2026

CORAM

THE HONOURABLE MR.JUSTICE N.SENTHILKUMAR

C.R.P.(MD)No.3640 of 2025

and

C.M.P.(MD)No.19278 of 2025

George David

... Petitioner

-VS.-

1.S.Josephine Dalsi

2.G.Pounlinjo

...Respondents

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India to set aside the fair and decreetal order, dated 19.07.2025 made in I.A.No.717 of 2014 in O.S.No.417 of 2022 on the file of the Principal Subordinate Court, Thanjavur.

For Petitioner	:Mr.V.George Raja for M/s.Ajmal Associates
For R1	:Mr.Mohan Dass for Mr.M.Thirunavukkarasu
For R2	Mr.S.Vignesh



C.R.P.(MD)No.3640 of 2025

WEB COPY

ORDER

The present Civil Revision Petition has been filed challenging the order passed by the learned Principal Subordinate Judge, Thanjavur, in I.A.No.717 of 2014 in O.S.No.417 of 2022, dated 19.07.2025.

2.Heard Mr.V.George Raja, learned Counsel for the Revision Petitioner, Mr.Mohan Dass, learned Counsel representing Mr.M.Thirunavukkarasu learned Counsel for the first respondent and Mr.S.Vignesh, learned Counsel for the second respondent.

3.The first respondent, as plaintiff, has filed a suit in O.S.No.417 of 2022 before the Principal Subordinate Court, Thanjavur for the relief of partition and separate possession, against the second respondent herein. The petitioner herein is a third party to the suit. During the pendency of the suit, the petitioner herein has filed an application in I.A.No.717 of 2014 in O.S.No. 417 of 2022 to implead him as second defendant in the suit claiming that he is



C.R.P.(MD)No.3640 of 2025

the owner of the suit property. The learned Principal Subordinate Judge, Thanjavur, vide impugned order, dated 19.07.2025, had dismissed the said application on the ground that the petitioner is not a necessary party to the suit. Challenging the same, the present Civil Revision Petition has been filed.

4.The learned Counsel for the petitioner reiterated the contentions raised in the grounds of revision and submitted that the first respondent is the wife of the petitioner's younger brother and the second respondent is the wife of the petitioner. The petitioner has purchased the suit property in the name of the respondents and through a muchalika, the suit property was allotted to the petitioner and without adding him as a party to the suit, the present suit has been filed. However, the trial Court has erroneously dismissed the application filed by the petitioner, which is *per se* illegal and seeks interference of this Court.

5.The learned Counsels for the first respondent submitted that the petitioner is the wife of the plaintiff and the petitioner has no right whatsoever over the suit schedule property. He also submitted that based on the



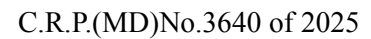
C.R.P.(MD)No.3640 of 2025

unregistered and unstamped document, the petitioner has claimed right over the suit schedule property, which has been rightly deprecated by the trial Court which needs no interference and sought dismissal of this petition.

6.The learned Counsel for the second respondent submitted that the petitioner is the necessary party to the suit and without considering the claim made by the petitioner, the trial Court has erroneously dismissed the application, which needs interference of this Court.

7.This Court considered the submissions made on either side and perused the materials available on record.

8.The first respondent has filed a suit for partition and separate possession against the second respondent herein. During the pendency of the proceedings, the petitioner has filed an application to implead him as a party defendant in the said suit. The petitioner has claimed title over the suit schedule property by relying upon a muchalika, which has been rightly rejected by the trial Court by holding that the said document is an unregistered and



9. In the result, the Civil Revision Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Page 5 of 7



C.R.P.(MD)No.3640 of 2025

toto as remuneration to the learned Court appointed Legal Aid Counsel, who is appearing for the second respondent, within a period of two weeks from the date of receipt of a copy of this order.

09.02.2026

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

cmr

To

- 1.The Principal Subordinate Judge, Thanjavur.
- 2.The High Court Legal Services Committee,
Madurai Bench of Madras High Court, Madurai.



WEB COPY



C.R.P.(MD)No.3640 of 2025

N.SENTHILKUMAR, J.

cmr

C.R.P.(MD)No.3640 of 2025

09.02.2026