

IN THE COURT OF THE SUBORDINATE JUDGE, MELUR.

Present: Tmt. M. SAMUNDEESWARI PRABHA, M.A., M.L.,

Tuesday, the 17th day of March 2026

I.A.No.3/2025

in

O.S.No.26/2022

Ponnanai @ N.V.Sasi

..... Petitioner/ Proposed 4th
Defendant

// Vs //

1. Kalaiselvan

..... Respondent/Plaintiff

2. The state of Tamil Nadu,
Represented through its District Collector,
Madurai District.

3. The Tahsildar of Melur Taluk,
Madurai District.

4. The Village Administrative Officer,
T.Kovilpatty Village,
Melur Taluk,

Madurai District.

..... Respondents/1st to 3rd Defendants

This petition is coming up for final hearing before this court on 12.03.2026 in the presence of Advocate.Mr.K.Periyasamy, Advocate for the Petitioner and Advocate Mr.C.Rajaraman, Advocate for the 1st respondent and 2nd to 4th respondents were called absent and set exparte on 18.12.2025 and upon hearing the enquiry on both sides and on perusal of the records and having stood over for consideration till this day, this court delivers the following :-

Orders

This petition has been filed Under Order 1 Rule 10(2) and Section 151 of CPC pass an order to implead as 4th defendant in the original suit in OS.No.26/2022.

1. Brief averments of the petition :-

The petitioner herein is the proposed 4th defendant in the original suit. The original suit has been filed by the respondent/plaintiff for the plaintiff is the lawful owner of the suit properties and consequential injunction and for permanent injunction as against the

respondents/defendants. The petitioner has been working as the Secretary of the panchami lands restoration association for the last 25 years. Various steps are being taken to recover Panchami lands in Melur Taluk and the entire Tamil Nadu and distribute them to the landless Scheduled Castes. The suit property and some field numbers have been recovered as Panchami lands as per the letter of the Commissioner of Land Administration dated 01.04.1998 of the Madurai Revenue Divisional Officer in Ne.Mu.Ka.Na.Ka.12244/10 dated 10.04.2012 of the Additional Personal Assistant (Land) of the Madurai District Collector Na.Ka. 34438/10 dated 11.05.2012 and the letter of the Tahsildar Melur in Ne.Mu.Ka.No.A3/7075/10 dated 15.05.2012. The documents in this regard are in the possession of the petitioner. The petitioner also has evidence regarding the disputed property and the Panchami lands. Further, during the cross-examination of the government on behalf of the plaintiff in the litigation case, the plaintiff stated that "Order of Ex.B8 was issued on 11.05.2012 by the personal assistant to the district Collector regarding the petition of Mr.Ponnanai @ Sasi," mentioning the name of the petitioner in the cross-examination. Hence the petitioner

prays pass an order to implead as the 4th defendant in the original suit. Hence this petition has to be allowed.

2. Brief averments of the counter affidavit filed by the 1st

Respondent/plaintiff :-

(i) The 1st respondent herein is the plaintiff in the main suit. The 1st respondent has no connection with the circumstances mentioned by the petitioner/proposed 4th defendant in his petition. The documents of the Revenue Department order, which the petitioner has cited in his affidavit, have been filed by the existing respondents, the government. The suit property is the property assigned to the defendant.

(ii) Having come to know that the government has transferred the patta land from his name to Panchami land, contrary to natural law and law, without giving him any prior notice or conducting a proper investigation, the 1st respondent has been filed this suit as against the government seeking appropriate redress. While this case has been taken up for trial and evidence has been examined on his behalf and is pending for evidence examination on the defendant's behalf, it is in no way appropriate for the petitioner's proposed party to file a petition to be included as a party in this case. The petitioner's proposed party is not

a necessary party to resolve the issue in this case. Hence this petition has to be dismissed with costs.

3. The point for consideration aroused is that :-

Whether the petition has to be allowed or not ?

4. Point :-

4.1 Both sides heard. Records perused. This petition has been filed for impleading the third party one Mr.Ponnanai as one of the defendants. It has been pleaded that the petitioner is the alleged secretary of the panchami lands restoration association and so he has to be impleaded as one of the defendants.

4.2 Considering the court records, the petitioner/proposed defendant has no locus standi with the suit property and has no connection with the suit property. Even though it is the panchami land, the only person to be impleaded is the government who assigned the land to the depressed classes. Hence the petitioner who is alleged to be the secretary of the panchami land restoration association is having no locus standi or neither the necessary party to the suit. Hence this petition has got no merits.

5. Result:-

In the result, this petition is dismissed. No costs.

Dictated to the Steno Typist by me, and typed by her directly, corrected and pronounced by me in open court, this the 17th day of March 2026.

**Sub Judge,
Melur.**

Both sides of witness and documents : Nil

**Sub Judge,
Melur.**

**Draft/Fair Order
in
IA.No.3/2025
in
O.S.No.26/2022
Dt : 17.03.2026
Sub Court,
Melur.**