

**IN THE COURT OF THE 1st ADDITIONAL DISTRICT MUNSIF,
TIRUNELVELI**

Present : **Tmt.S.Pon Melisa, B.A., LL.B.,**
Ist Additional District Munsif,
Tirunelveli.

DATED THIS THE 07th DAY OF NOVEMBER 2025 FRIDAY

I.A.No.6/2025 in O.S.No.545/2022

1) Shanmugasundaram

2) S.Gurusamy

3) S.Ganapathi Subramanian

4) S. Senthil Arumugam

5) Mariappan

... Petitioners /Plaintiff

// Vs //

1) P. Ponrathina

2) G.R.Parvathy

... Respondents / Defendants

3) Ponnuraj

4) Deputy Commissioner, HR & CE Department,
Tirunelveli.

5) Assistant Commissioner, HR & CE Department,
Tirunelveli.

... Proposed party

This petition is coming before me on 28.10.2025 for final hearing in the presence of Mr.B.Thilak, Learned counsel for the petitioner and in the presence of Mr.L.Patturaj, Learned counsel for the 1st Respondent and in the presence of Mr.P.Chidambaram, Learned counsel for the 2nd Respondent and R3 called absent set exparte and in the present of Mr.R.Shankar, Learned Government Pleader for the 4th and 5th respondents and upon hearing both sides arguments and perusal of records and

relevant documents and having stood over till this date for consideration, this court delivered the following:-

ORDER

This petition has been filed by the petitioners under Order 1 Rule 10(2) for seeking relief of implead the proposed 4th and 5th respondents in the original suit as 4th, 5th defendants.

2) The case of the petitioner is that the main suit has been filed seeking the relief of permanent injunction against the first and second defendants. Petitioners filed I.A.No.2/2022 against the respondents stating that in the plaint schedule properties, petitioners have been lawfully performing the daily nithyabhadi dharmam, poojas, and punaskaras as hereditary Akthars of the Nithyananda Swamigal trust, and of the deities Vinayagar, Dakshinamurthy, Mahalingam, Subramaniyar, and other parivara deities situated therein. The respondents 1 to 3 have been falsely claiming that they alone are the hereditary trustees of the temple situated in the said village. As they attempted to interfere with our peaceful performance of pooja and punaskara rituals, petitioners filed a petition before this Court seeking an order of interim injunction restraining the respondents and their agents from causing any disturbance. Accordingly, this Court, after perusing the records, granted an order of interim injunction on 13.12.2022 in I.A.No.2/2022. It is further submitted Based on the said order, petitioners lodged a complaint before the Pettai Police Station on 24.12.2022. During the enquiry conducted by the Inspector of Police, the husband of the first

respondent appeared on her behalf and contended that the said court order was not binding on them, further stating that the temple situated at plaint schedule property is under the control of the Hindu Religious and Charitable Endowments Department (HR&CE), and, it was found that the 1 to 3 respondents have been creating several obstructions to the devotees in the said temple, collecting huge donations under the guise of performing poojas and annadhanam to devotees residing in Pettai, and sending complaints to the HR&CE Department claiming themselves as the hereditary trustees of the temple for their own benefit. Therefore, in order to enable the peaceful performance of religious activities and since respondents 4 and 5 are necessary and proper parties for the effective adjudication of the dispute, this petition is filed seeking to implead them as additional respondents in the present case. Hence this petition .

3) On the other hand R1 side filed counter contending that the petition is not maintainable either in law or on facts. It is further contended that the proposed party, having no connection with the subject matter of the suit. Therefore, it is prayed that the petition be dismissed as frivolous and intended only to delay the proceedings. The Respondents 2 , 4 and 5 endorsed as no counter .

4) On perusal of the records, the main suit is pending at the stage of trial ,thus the petitioner comes up to seeking relief of proposed 4th and 5 th respondents impleads as 4th and 5th defendant in main suit. this Court finds that the presence of the proposed respondents 4 and 5 is necessary for the effective and complete

adjudication of the issues involved in the main suit and to avoid multiplicity of proceedings. No prejudice will be caused to the existing respondents if they are impleaded. Considering the fact, circumstances this court inclined to allow this petition .

In the result, the petition is allowed . No costs.

Dictated to the Steno typist by me, directly typed by him in Computer, Printout taken and corrected and pronounced by me in open court this the 07th day of November 2025.

Ist Additional District Munsif,
Tirunelveli.

Petitioner side Witness and documents:- NIL

Respondent side witness and documents :- NIL

Ist Additional District Munsif,
Tirunelveli.

Ist A.D.M. Court, Tirunelveli,
I.A.No.6/2025 in O.S.No.545/2022

Fair / Draft - Order,
Dated: 07.11.2025