

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.12.2015

CORAM

THE HONOURABLE MR. **JUSTICE G.CHOCKALINGAM**

C.R.P.(PD)No.1094 of 2013
and
M.P.No.1 of 2013

M/s.Kalyan Spinning Mills,
a Partnership Firm,
Represented by its Partner T.P.Chinnasamy,
Periya Thottam,
Kempanaikenpalayam,
Karigoundenpalayam Post,
Pugalur-641 694,
Coimbatore District.

... Petitioner

Vs

1.M.Chellappan

2.C.Devarajan

3. C.Balakrishnan

4. A.Shanmugam

5. M/s.Midas Homes Limited,
Represented by its Managing Director,
Door No.AH-42, 5th Street,
Anna Nagar,
Chennai.

... Respondents

Civil Revision Petition filed under Article 227 of the Constitution of India against the fair and decreetal order dated 11.10.2012 made in I.A.No.434/2011 in O.S.No.382/2010 on the file of the Principal Subordinate Judge, Coimbatore.

For Petitioner : Mr.A.Thiyagarajan

For Respondents 1 to 4 : Mr.J.Sanjay
for Mr.B.Neduncheliyan

For 5th Respondent : Ms.B.Radhika

ORDER

This revision is filed against the order of the Subordinate Court, the petition filed by the petitioner under Order I Rule 10 CPC for praying the order for permitting the petitioner to implead the proposed party as 2nd plaintiff in the suit.

2. The lower Court, after considering the arguments of both sides finally came to the conclusion that the petition is not maintainable and dismissed the petition. Against the order of dismissal by the learned Principal Subordinate Judge, Coimbatore, this revision has been preferred by the petitioner / plaintiff.

3. Heard the learned counsel for the petitioner and the learned counsel for the respondents.

4. After receiving notice, the learned counsel for the respondents have no objection for permitting the petitioner to implead the proposed party as 2nd plaintiff in the suit. The learned counsel for the respondents 1 to 5 have also made an endorsement in the petition to that effect.

5. In view of the no objection expressed by the learned counsel for the respondents, this Civil Revision Petition is allowed and the order of the learned Principal Subordinate Judge, Coimbatore is set aside. No costs. Consequently, connected miscellaneous petition is closed.

01.12.2015

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Note: Issue Order Copy on 08.12.2015.

G.CHOCKALINGAM, J.,

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To

The Principal Subordinate Judge,
Coimbatore.

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