

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

CRP.No.4695 of 2013

ORDER :

This Revision is filed under Article 227 of the Constitution of India challenging the order dt.16.08.2013 in I.A.No.957 of 2012 in O.S.No.56 of 2010 on the file of Principal Junior Civil Judge, Medchal, Ranga Reddy District.

2. The petitioners herein are plaintiffs in the above suit.
3. The petitioners filed the suit against 1st respondent to declare that petitioners and 2nd respondent are joint owners of plaint schedule property.
4. In that suit, the petitioners filed I.A.No.957 of 2012 to implead legal heirs of vendor of 1st respondent by name Kaira Mallaiah, and also vendor of the said Kaira Mallaiah, viz., Edla Malla Reddy.
5. In the affidavit filed in support of the said application, it is stated that neither Edla Malla Reddy nor Kaira Mallaiah had title to plaint schedule property, and therefore, the 1st respondent has no title to the property; and therefore it is necessary to implead the legal heirs of Kaira Mallaiah and Edla Malla Reddy as parties in the suit.
6. Counter-affidavit was filed by 1st respondent opposing the said impleadment and contending that the proposed parties are not necessary to be impleaded since they have already executed

registered document in favour of 1st respondent.

7. By order dt.16.08.2013, the Court below dismissed the said I.A. It held that 1st respondent had purchased the property from the legal heirs of Kaira Mallaiah who in turn purchased from Edla Malla Reddy; the said purchase by 1st respondent was under a registered document; the proposed parties are not necessary parties to the suit; petitioners have no cause of action against the proposed parties; and that it is an attempt to drag on the proceedings.
8. Challenging the same, the present Revision is filed.
9. Heard Sri N. Kama Raju, counsel for petitioners. None appears for respondent.
10. Although the counsel for petitioners sought to contend that to avoid multiplicity of proceedings, the proposed parties are necessary to be impleaded in the suit, I am unable to agree with the said submission.
11. As rightly held by the trial court, the petitioners have no cause of action against the proposed parties and they have to succeed on the strength of their case and leave it to 1st respondent to lead evidence in support of his claim that he has title to the property through legal heirs of Kaira Mallaiah and Edla Malla Reddy.
12. Therefore, I do not find any merit in the Revision and it is accordingly dismissed. No order as to costs.
13. As a sequel, miscellaneous petitions pending, if any, in this

Revision shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 15.09.2015

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