

THE HON'BLE SRI JUSTICE S.V. BHATT

CRP No.1334 of 2015

Oral Order:

Defendants in O.S.No.133 of 2011 in the Court of the Senior Civil Judge, Wanaparthy, Mahabubnagar District are the revision petitioners herein. This revision petition is directed against the order in I.A.No.1509 of 2014. The instant application is filed by the revision petitioners under Order I Rule 9 CPC to dismiss the suit for non-joinder of necessary parties namely Balamma and Parvathamma. The learned trial Judge after considering the nature of objections and the fact that an issue was already framed on this aspect of the matter, declined to go into the absolute necessity of adding Balamma and Parvathamma as defendants and dismissed the suit for non-joinder of parties. Hence the revision petition.

I have perused the impugned order. In my considered view, the impugned order does not suffer from any jurisdictional error or does not attract any of the circumstances in which the supervisory jurisdiction of this Court under Article 227 of the Constitution can be exercised. The Civil Revision Petition is dismissed. No order as to costs.

It is made clear that the application and the Civil Revision Petition are dismissed as an issue is already framed in the suit. The petitioners are free to take all the objections in fact and law against failure to implead proper and necessary parties in O.S.No.133 of 2011 and the trial Court to consider in the suit.

The Civil Revision Petition is dismissed. Miscellaneous Petitions if any pending shall stand closed.

JUSTICE S. V. BHATT

Dated 10-4-2015

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