

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **22.11.2016**

CORAM:

THE HONOURABLE MR.**JUSTICE K.K.SASIDHARAN**

C.R.P.(P.D.) No.3249 of 2016 and
CMP.No.16461 of 2016

1. Jayamani
2. Nallammal

...Petitioners

versus

1. Priya
2. Umavathy
3. Chandrasekhar
4. Mayangathal
5. The Thasildar,
Taluk Office, Avinashi.
6. Balasubramaniam
7. Vijaya

...Respondents

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India against the fair and final order dated 10.02.2016 made in I.A.No.2145 of 2015 in O.S.No.225 of 2013 on the file of the 1st Additional District Court, Tirupur.

For Petitioners : Mr.Pitty Parthasarathy

For 1st respondent : Mr.J.Anthony Jesus

ORDER

The petitioners filed an application in I.A.No.2145/2015 in O.S.No.225/2013 to implead them as parties in the civil suit filed for declaration and partition. The application was dismissed by the trial court on the ground that the petitioners are not entitled to any of the relief in view of the fact that during the life time of Chellappa Gounder, the settlement deed executed by him on 22.12.1989 was not challenged. The said order is under challenge in this Civil Revision Petition.

2. Heard the learned Counsel for the petitioner and the learned Counsel for the 1st respondent.

3. The petitioner filed the application in I.A.No.2145/2015 contending that Chellappa Gounder has no right to execute the settlement deed dated 22.12.1989. In short, the Settlement Deed executed by Chellappa Gounder on 22.12.1989 is sought to be set aside by filing this application.

4. The learned trial court considered the entire facts and dismissed the application. In fact, the application itself was filed only after conclusion of trial. Therefore, I am of the view that the trial court was perfectly correct in dismissing the application.

5. In the upshot, I dismiss the Civil Revision Petition. No costs. Consequently, connected miscellaneous petition is closed.

22.11.2016

Index:Yes/No
tsi

To

The I Additional District Court, Tirupur.

K.K.SASIDHARAN, J.

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