

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.11.2016

CORAM

The Hon'ble Mr.Justice K.K.Sasidharan

C.R.P.(PD)Nos.3425 and 3426 of 2016

and

C.M.P.No.17411 of 2016

1. Pillaiyar Kovil Trust,
rep. by its Trustee G.Swaminathan
Anna Nagar, (Om Sakthi Nagar) Trichy
Road, Ramanathapuram, Coimbatore.
2. Om Sakthi Nagar Athiparasakthi Thirukovil,
rep. by its Trustee G.Swaminathan
Anna Nagar, (Om Sakthi Nagar) Trichy
Road, Ramanathapuram, Coimbatore.

...Petitioners in both C.R.Ps.

Vs.

1. Melmaruivathur Adhi Parasakthi
Siddar Sakthi Peedam
Coimbatore, rep. by its
President Krishnamoorthy,
No.87, Om Sakthi Nagar,
Ramanathapuram Post,
Coimbatore - 45.
2. G.Swaminathan
3. L.Kumarasamy
4. V.Gunalan

... Respondents in both C.R.Ps.

Prayer in C.R.P.(PD)No.3425 of 2016

Civil Revision Petition filed under Article 227 of the Constitution of India, against the Order and Decreetal Order, dated 15.09.2016, made in I.A.No.211 of 2016, in I.A.No.95 of 2016, in O.S.No.61 of 2016, on the file of I Additional District and Sessions Court, Coimbatore.

Prayer in C.R.P.(PD)No.3426 of 2016

Civil Revision Petition filed under Article 227 of the Constitution of India, against the Order and Decreetal Order, dated 15.09.2016, made in I.A.No.212 of 2016, in O.S.No.61 of 2016, on the file of I Additional District and Sessions Court, Coimbatore.

For Petitioners : Mr.S.Saravanan

For Respondent-1 : Mr.A.Deivasigamani

For Respondents 2 to 4 : No appearance

COMMON O R D E R

The petitioners filed Interlocutory Applications before the trial Court to implead them as parties in the Suit in O.S.No.61 of 2016. The Applications were dismissed by the learned I Additional District and Sessions Judge, Coimbatore. The said Order is under challenge in these Civil Revision Petitions.

2. When the Revision Petitions came up for consideration today, the learned counsel for the first respondent/plaintiff fairly submitted that the first respondent has no objection in impleading the petitioners as parties to the Suit.

4. The Applications in I.A.Nos.211 and 212 of 2016 were dismissed by the trial Court on the ground that the petitioners are not necessary parties for adjudication of the Suit.

5. The first respondent, who is the plaintiff in the Suit in O.S.No.61 of 2016, now conceded the factual position that the petitioners are also necessary parties for adjudication of the matter. In view of the said submission, necessarily, the impugned Orders are liable to be set aside.

6. In the result, the Orders dated 15.09.2016, are set aside. The Applications in I.A.Nos.211 and 212 of 2016 are allowed.

7. The Civil Revision Petitions are allowed, as indicated above.
No costs. Consequently, connected Civil Miscellaneous Petition is closed.

21.11.2016

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Index : Yes/No
Internet ; Yes/No

To

The I Additional District and Sessions Court,
Coimbatore.

K.K.Sasidharan,J.,

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