



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.06.2016

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

C.R.P. (PD) (MD) No.1058 of 2016
and
C.M.P (MD) No.5280 of 2016

1.B.Santhoshkumar
2.G.Swaminathan
3.T.Susindran
4.M.Natesan
5.S.Gandhirajan
6.A.A.Monaharan

... Petitioners

-vs-

1.K.Mohanram
2.K.Rengasamy
3.R.Kathirvel
4.R.Subbiah
5.R.Pulliah
6.S.Kariammal
7.M.Ramuthai
8.M.Veerumalli
9.K.Jayaram
10.C.Raghuprasanth

... Respondents

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, to call for the records and set aside the fair and decretal order dated 08.01.2016 in I.A.No.392 of 2011 in O.S.No.346 of 2010 on the file of the Additional Sub Court, Dindigul.

For Petitioners : Mr.H.Lakshmi Shankar

ORDER

This Civil Revision Petition is directed against the order passed by the Additional Sub-Judge, Dindigul, in I.A.No.392 of 2011 in O.S.No.346 of 2010.

2. The respondents 1 and 2 herein as plaintiffs originally instituted the suit against the other respondents before the Additional Sub-Court, Dingigul, claiming partition. Later, they have filed I.A.No.392 of 2011 to implead the petitioners as defendants 8 to 14 in the suit alleging that they are having right in the suit property. The trial Court, having found that the



petitioners claim right over the property, has allowed the application. Aggrieved over the same, the present revision has been preferred.

3. Heard the learned counsel appearing for the petitioners and perused the records.

4. It is not in dispute that the petitioners have purchased the item No.11 of the suit property on 28.10.2011. So they are necessary and proper parties to the suit.

5. In view of the above facts, I do not find any illegality or irregularity in the order passed by the trial Court. In fine, this civil revision petition is dismissed. The petitioners are at liberty to file written statement and contest the suit. No costs. Consequently, connected miscellaneous petition is also dismissed.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

The Additional Subordinate Judge, Dindigul.

+ 1 CC TO MR.H.LAKSHMI SHANKAR, ADVOCATE IN SR No. 28981

SKN

TE/SK-SKN/ : 20/06/2016 : 2P/3C

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