



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 30.06.2016

CORAM

THE HONOURABLE MR. JUSTICE K. KALYANASUNDARAM

C.R.P. (MD) No. 1329 of 2016 (PD)

and

C.M.P. (MD) No. 6346 of 2016

M. Elango .. Petitioner/Proposed Party 1
Vs.

1. P. Durai .. 1st Respondent/Petitioner/Plaintiff
2. M. S. Ramachandran
3. A. Ganesarathinam .. Respondents 2&3/Respondents
1 & 2/Defendants

Prayer: Petition filed under Article 227 of the Constitution of India, against fair and decreetal order dated 18.01.2016 in I.A.No.395 of 2013 in O.S.No.72 of 2013 passed by the learned District Munsif, Kulithalai.

For Petitioner : Mr. K. Govindarajan

ORDER

This revision arises out of the order dated 18.01.2016 passed in I.A.No.395 of 2013 in O.S.No.72 of 2013, by the learned District Munsif, Kulithalai.

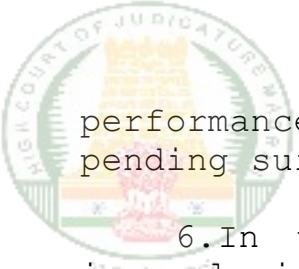
2. The first respondent instituted the suit against the respondents 2 and 3 for specific performance of the sale agreement dated 15.03.2010. In the suit, an application in I.A.No.395 of 2013 was filed by the plaintiff under Order 1 Rule 10(2) and Section 115 of C.P.C., to implead the petitioner as third defendant on the ground that he purchased the property, pending suit.

3. The trial Court having found that the petitioner is a necessary and proper party in the suit, allowed the application.

4. Heard Mr. K. Govindarajan, learned counsel appearing for the petitioner and perused the materials available on records.

<https://hcservices.ecourts.gov.in/hcservices/>

5. It is not in dispute that the suit was filed for specific



performance and the petitioner had purchased the suit property, pending suit.

6. In view of the fact, I do not find any illegality or irregularity in the order impugned in the revision. In fine, the civil revision petition is dismissed. No costs. Consequently, the connected C.M.P is also closed. It is open to the petitioner to file a written statement and contest the suit.

Sd/
Assistant Registrar(W)

/True copy/

Sub Assistant Registrar

To
The District Munsif Court, Kulithalai.

SDR/PEK/13.07.2016/2P/2C

C.R.P. (MD) No.1329 of 2016 (PD)
and
C.M.P. (MD) .No.6346 of 2016
30.06.2016