



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.07.2016

CORAM:

THE HONOURABLE Mr. JUSTICE K. KALYANASUNDARAM

C.R.P. PD (MD) No. 1430 of 2016

and

C.M.P. (MD) No. 6995 of 2016

T. Natarajan

... Petitioner / 1st respondent /
Plaintiff

Vs.

S. Thankappan (died)
Russel

... Respondent / Petitioner /
Proposed defendant

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the fair and decretal order dated 30.11.2015 passed in I.A.No.649 of 2015 in O.S.No.391 of 2013 on the file of the Principal District Munsif Court, Kuzhithurai by allowing this Civil Revision Petition.

For Petitioner : Mr. E. K. John Victor Ellis
For Respondents : Mr. T. Selvakumaran

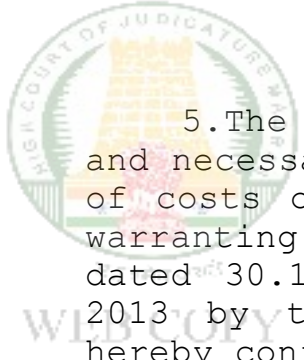
ORDER

This Civil Revision Petition is directed against the order dated 30.11.2015 passed in I.A.No.649 of 2015 in O.S.No.391 of 2013 by the file of the Principal District Munsif Court, Kuzhithurai.

2. Heard Mr. E. K. John Victor Ellis, learned counsel for the petitioner and Mr. T. Selvakumaran, learned counsel for the respondent and perused the materials available on record.

3. The petitioner has instituted the suit against one Thangappan for declaration of title and for permanent injunction. The respondent filed an application in I.A.No.649 of 2015 in the suit to implead himself as the third defendant on the ground that he purchased a portion of the property i.e., 3½ cents by a registered sale deed dated 18.09.2013.

4. It is settled law that even purchaser *pendente lite* are impleaded in the suit as necessary parties to avoid multiplicity of proceedings.



5.The Trial Court having found that the petitioner is a proper and necessary party to the suit allowed the application on payment of costs of Rs.500/-. I do not find any perverse or illegality warranting interference of this court. In the result, the order dated 30.11.2015 passed in I.A.No.649 of 2015 in O.S.No.391 of 2013 by the learned Principal District Munsif, Kuzhithurai is hereby confirmed and the Civil Revision Petition is dismissed.

No costs. Consequently, connected C.M.P.is closed.

Sd/-

Assistant Registrar (W)

/True Copy/

Sub Assistant Registrar

To

The Principal District Munsif, Kuzhithurai.

+1CC to Mr.T.Sevlakumaran, Advocate Sr.No.40645

+1CC to Mr.E.K.John Vidtor Elis, Advocate Sr.No.40450

GJM/DB/18.10.16-2p-4c

C.R.P.PD (MD) No.1430 of 2016
01.07.2016