

HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN

Civil Revision Petition No.5492 of 2016

ORDER:

This revision arises out of the order passed by the trial Court allowing an application for impleadment and for consequential amendment.

2. Heard Sri Pottigari Sridhar Reddy, learned counsel for the petitioners.

3. The 1st respondent herein filed a suit for partition. The 1st petitioner in this revision is the 3rd defendant in the suit. The 2nd petitioner herein was sought to be impleaded as the 9th defendant in the suit, on the ground that she happens to be the wife of the 1st petitioner.

4. The application for impleadment and consequential amendment was opposed by the petitioners on the ground that the application was taken out after 6 years of the suit and that a single application is not maintainable under the Rule 55 of the Civil Rules of Practice.

5. But under Rule 28 of the Civil Rules of Practice, a party is obliged to seek all consequential reliefs pursuant to impleadment. Therefore, the trial Court was right in allowing the application overruling the objections. Hence, there is no illegality or irregularity in the order of the trial Court.

Accordingly, the Civil Revision Petition is dismissed. As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

V. RAMASUBRAMANIAN, J

Date: 16-12-2016

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