

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **22.03.2017**

CORAM:

THE HONOURABLE MR.**JUSTICE K.K.SASIDHARAN**

C.R.P.(P.D.) Nos.1698 and 4189 of 2014 and
M.P.Nos.1 and 1 of 2014

Kadar Bee

...Petitioner in both CRPs

versus

1.G.Meena

...1st Respondent in both CRPs

2.S.Devaraj

...2nd Respondent in
CRP No.4189 of 2014

PRAYER: Civil Revision Petitions filed under Article 227 of the Constitution of India, against the order passed in I.A.Nos.1133 and 975 of 2012 in O.S.No.338 of 2008, dated 06.04.2013 on the file of learned District Munsif, Chengalpattu.

For Petitioner : Mr.M.Raja Sekhar

For Respondents : Ms.Madhuri Donti Reddy for R1
No appearance for R2
in CRP No.4189 of 2014

COMMON ORDER

These two Civil Revision Petitions are directed against the interlocutory orders passed by the Trial Court, dismissing the applications filed by the petitioner to amend the plaint as well as for impleading.

2. Heard the learned counsel for the petitioner and the learned counsel for the first respondent.

3. The suit in O.S.No.338 of 2008 was instituted by the Principal of the petitioner before the learned District Munsif, Chengalpattu. It was a suit for declaration and injunction. The suit was prosecuted by the petitioner, in her capacity as Power Agent. Thereafter, the petitioner purchased the property and filed application before the Trial Court to implead her as plaintiff. The application was dismissed by the Trial Court on the ground that the sale was during the currency of the original suit.

4. It is not the case of the petitioner that she was not aware of the litigation. The petitioner has been conducting litigation on behalf of her Principal. It was only from the Principal, she purchased the property during the currency of the litigation. There is no question of substituting the petitioner as plaintiff, in view of the fact that the purchase was during the pendency of the litigation. The petitioner knowing very well that the property is the subject matter of litigation purchased the same and thereafter, filed the application for impleading

her as plaintiff. The learned Trial Judge considered the issue in the light of the background facts and rightly negated the request made by the petitioner. I do not find any error or illegality in the order warranting interference by exercising the revisional jurisdiction under Article 227 of the Constitution of India.

5. In the up shot, I dismiss the Civil Revision Petitions. No costs. Consequently, connected miscellaneous petitions are closed.

22.03.2017

Index:Yes/No
svki

To

The Principal District Munsif,
Chengalpattu

K.K.SASIDHARAN, J.

(svki)

C.R.P.(P.D.) Nos.1698 and 4189 of 2014

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