

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.03.2017

CORAM

THE HONOURABLE Mr. JUSTICE K.K.SASIDHARAN

C.R.P.No.2137 of 2014

1. Thavamani  
2. Jayapal  
3. Karunanithi .. Petitioners

Vs.

1. Arumugam  
2. Palani  
3. Swaminathan  
4. K.P.Mahalakshmi ... Respondents

PRAYER: The Civil Revision Petition filed under Article 227 of the Constitution of India, praying to set aside the order passed by the learned District Munsif, Katpadi in I.A.No.25 of 2013 in O.S.No.1065 of 2009.

For Petitioner : Ms.T.Sreelekha

ORDER

This Revision Petition is directed against the order dated 05.3.2014 in I.A.No.25 of 2013 in O.S.No.1065 of 2009 on the file of the learned District Munsif, Katpadi, dismissing the application filed by the petitioners to implead the wife of the second respondent as a party defendant in the suit.

2. The petitioners filed a suit in O.S.No.1065 of 2009 for declaration and injunction against the husband of the proposed party and two others, contending that they are interfering with their peaceful possession and enjoyment of the suit property. The suit was contested by the respondents by filing written statement. When the suit was ripe for trial, the petitioners filed an application to implead the wife of the second defendant as a party to the suit, contending that she trespassed into the suit property and attempted to interfere with their peaceful possession and enjoyment of the suit property.

3. There are no materials produced to substantiate the contention that the proposed party trespassed into the suit

property at the instance of the respondents. This aspect was rightly considered by the trial Court resulting in dismissal of the application. I do not find any error or illegality in the said order warranting interference by exercising the revisional jurisdiction under Article 227 of the Constitution of India.

4. In the upshot, I dismiss the Civil Revision Petition. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-  
Assistant Registrar(CS VI)

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Sub Assistant Registrar

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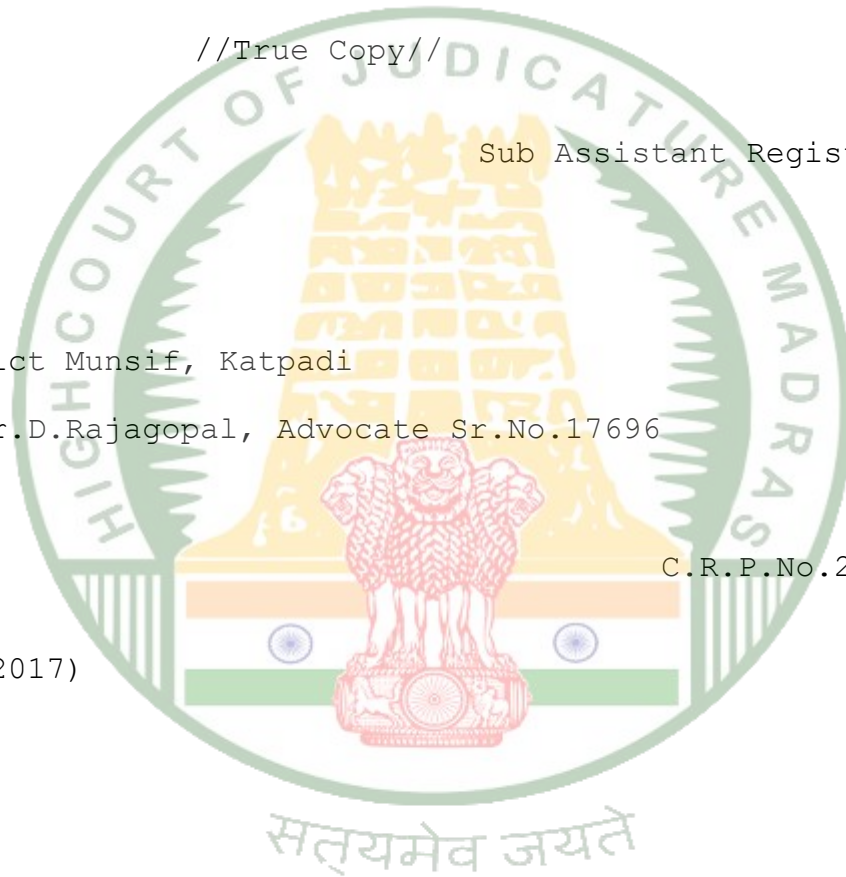
To

The District Munsif, Katpadi

+1cc to Mr.D.Rajagopal, Advocate Sr.No.17696

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NR II (CO)  
GN(18/04/2017)



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