

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.08.2017

C O R A M

THE HONOURABLE MR.JUSTICE M. GOVINDARAJ

C.R.P.(PD) NO.3093 OF 2017
AND CMP NO.14477 OF 2017

Manjula John
Rep. by her Power of Attorney
Shaik Jeelani Basha

... Petitioner

Vs.

1.Subidha Deshmukh
2.N.Ranga Sudhakar
3.K.L.Venkateswaran
4.IDBI Bank
Branch Head
Parrys Branch
Chennai - 600 001.

... Respondents

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India against the fair and decretal order dated 18.07.2017 passed in I.A.No.5392 of 2016 in O.S.No.8437 of 2010 on the file of the III Additional City Civil Court at Chennai.

For Petitioner : Mr.K.Venkateswaran

ORDER

This Civil Revision Petition is directed against order dated 18.07.2017, dismissing the impleading petition filed by the petitioner.

2. The grievance of the petitioner is that the proposed party / fourth respondent Bank has sanctioned loan in favour of the third defendant / third respondent. If any proceedings is initiated by the Bank under SARFAESI Act or any other Acts, that will adversely affect the interest of the petitioner. Already this Court, by its order dated 27.05.2009 in O.A.No.559 of 2009 in C.S.No.454 of 2009 has granted interim injunction restraining the defendant / first respondent herein, from alienating or encumbering the property. In such event, the matter is still pending and any transaction, which takes place during the pendency of the litigation, would not bind on her.

3. The learned counsel for the petitioner would submit that the suit is posted for trial.

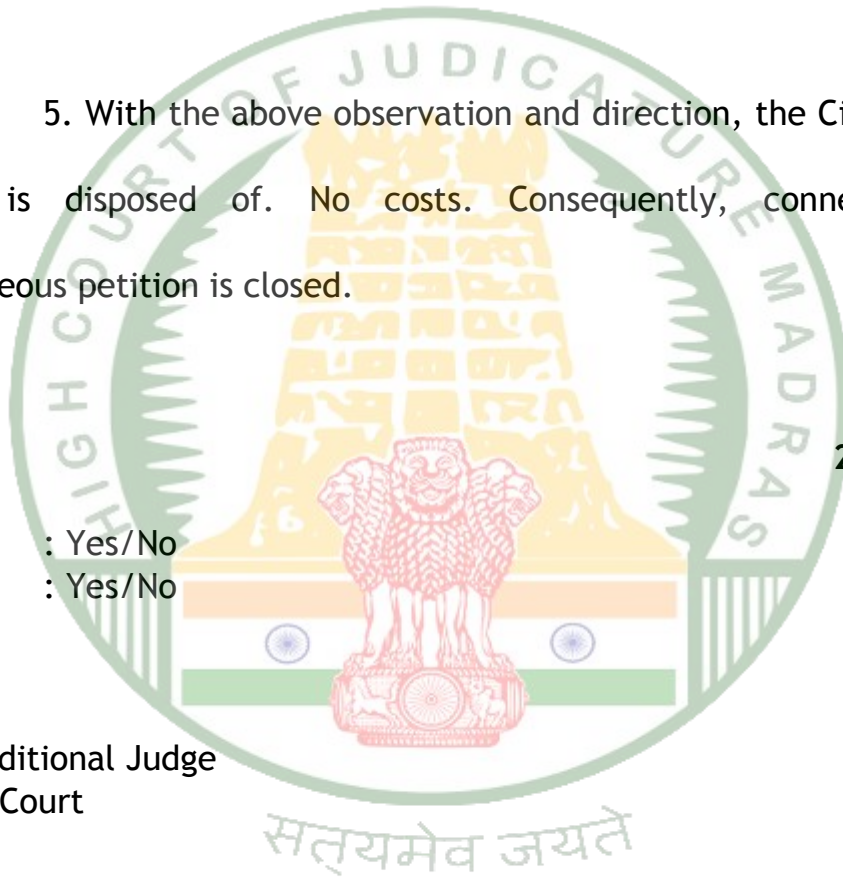
4. In such event, impleading the proposed party / fourth respondent Bank is totally unnecessary as they are neither necessary nor proper party. However, there shall be a direction to the Trial Court to dispose of the suit, as expeditiously as possible.

5. With the above observation and direction, the Civil Revision Petition is disposed of. No costs. Consequently, connected civil miscellaneous petition is closed.

28.08.2017

Index : Yes/No
Internet : Yes/No
TK
To

The III Additional Judge
City Civil Court
Chennai.



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M.GOVINDARAJ, J.

TK



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