

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **28.03.2017**

CORAM:

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

C.R.P.(P.D.) No. 3139 of 2013 and
MP.No.1 of 2013

1. G. Vijayakanth
2. G. Indira
3. Lazar

...Petitioners

Vs

1. Jayapal @ Chinnappayyan
2. Sivakumar

...Respondents

Prayer:- Civil Revision Petition filed under Article 227 of the Constitution of India as against the Fair and Decretal order dated 08.02.2013 made in I.A.No.894/2012 in O.S.No.202/2009 on the file of the Subordinate Judge, Poonamallee.

For Petitioners : Mr.R.Bharath Kumar

ORDER

The petitioners filed an application to implead the fourth plaintiff in the civil suit filed by them. The application was dismissed by the trial Court. The said order is challenged in this civil revision petition.

K.K.SASIDHARAN,J.

gms

2. The suit in O.S.No.202 of 2009 was filed by the petitioners for declaration and consequential injunction. The petitioners, during the currency of the suit, assigned first item of the suit property to the proposed party. It was only to implead him, the petitioners filed the application in I.A.No.894 of 2012. There is no question of impleading the subsequent purchaser, who purchased the property from the plaintiffs, knowing very well the pending litigation. The petitioners have to take care of the interest of the subsequent purchaser. The trial Court rightly dismissed the application filed by the petitioners.

In the upshot, I dismiss the civil revision petition. No costs. Consequently, connected miscellaneous petition is closed.

28.03.2017

gms

To

The Subordinate Judge,
Poonamallee.

C.R.P.(P.D.) No. 3139 of 2013

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